## CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD LAHONTAN REGION

#### MEETING OF JANUARY 11-12, 2012 APPLE VALLEY, CA

ITEM: 8

SUBJECT: EXECUTIVE OFFICER'S REPORT

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

ENCLOSURE:	ITEM:	BATES NUMBER:
1	Discussion of Standing Items	8-5
2	Executive Officer's Written Report	8-9
3	Notification of Spills	8-19
4	Notification of Closure of Underground Storage Tank Cases	8-23

## **ENCLOSURE 1**

## CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD LAHONTAN REGION

#### **REPORT ON STATUS OF STANDING ITEMS**

#### December 6-7, 2011

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 the dates the items are due.

	ENTIRE BASIN	
ISSUE	FREQUENCY	DUE DATE
Lake Tahoe Nearshore Standards	Semi-Annual	Due June 2012
Status of Basin Plan Amendments	Semi-Annual	Due June 2012
Status of Grants	Semi-Annual	Due June 2012
Caltrans Statewide General Permit/Tahoe Basin	Annually	Due April 2012
Tahoe Municipal Permit	Annually	Due July 2012
Wetland Restoration Mitigation - Mono County	Annually	Due December 2012
City of Barstow	Quarterly	EO Item No. 9
County Sanitation Districts of Los Angeles - District No. 14	Semi-Annual	Due April 2012
County Sanitation Districts of Los Angeles - District No. 20	Semi-Annual	Due April 2012
Status of Dairies	Semi-Annual	Due April 2012
Searles Valley Minerals Operations - Compliance Status	Semi-Annual	Due April 2012

## **ENCLOSURE 2**



#### Lahontan Regional Water Quality Control Board



### **EXECUTIVE OFFICER'S REPORT**

#### December 2011 and January 2012

#### **NORTH BASIN**

#### Status of Caltrans Municipal Storm Water Permit – Bud Amorfini

The State Water Board has been working has been working to adopt an updated Municipal Separate Storm Sewer System (MS4) NPDES permit. The permit will regulate all Caltrans activities, except for construction over one acre in size, and requires compliance with applicable TMDLs. Construction activities disturbing over one acre of land will be regulated separately under the existing state-wide and other applicable regional NPDES permits. The permit was scheduled to be adopted in October 2011; however, due to concerns regarding the cost of compliance, the permit adoption has been delayed.

State Water Board staff has been directed to meet with Caltrans representatives weekly through the end of December 2011 to work on reducing the cost of compliance while maintaining appropriate water quality protection measures. Lahontan Water Board staff is working with State Water Board and Caltrans staff to incorporate specific language regarding implementation of the Lake Tahoe TMDL into the draft permit. The permit will then need to be recirculated for public comment and revised as needed. Therefore, I anticipate that the permit will not be adopted by the State Water Board until at least spring of 2012.

#### Lane Trust Property--Placer County - Lisa Dernbach

Over the past twelve months, the Lane Trust property in Kings Beach has been out of compliance a majority of the time with Water Board orders for groundwater and indoor air remediation. A 2007 Cleanup and Abatement Order specified that remedial actions be implemented at the site to abate chlorinated hydrocarbons in soil, groundwater, and indoor air. Contamination originated from a dry cleaning business that previously occupied the building.

The site responsible party, the Lane Trust, rarely operated the air sparge system during the past year for stripping solvent compounds from groundwater. The reason the air sparge system was not operated is because the soil vapor extraction (SVE) system was ineffective at recovering all gas vapor from soil. This issue was proven from indoor air samples showing tetrachloroethene (PCE) concentrations at several orders of magnitude greater than the Indoor Air Screening level of 0.69 µg/m3 for commercial buildings. The high indoor air levels meant that building occupants were exposed to unhealthy vapors. Such information also indicated the building ventilation system was unsuccessful at diluting solvent vapors in air to levels that did not pose a risk to public health.

-2-

Monitoring well data in quarterly reports suggested remedial actions were having little effect upon improving water quality beneath the site. The Executive Officer issued several Notices of Violation to the responsible party during this time.

All that changed during summer 2011 when the Lane Trust expanded the remediation systems and improved the building ventilation system. Upgrades included the installation of more SVE and air sparge wells. In addition, horizontal vapor pipelines were installed beneath the building to expand the area of vapor extraction. System upgrades also included a larger blower for the SVE system and a larger compressor for the air sparge system. Lastly, the indoor ventilation system was reconfigured to improve building air flow. These upgrades and improvements were made possible due to a loan given by the California Department of Toxic Substances Control that Water Board staff helped the land owner to acquire.

Since the upgrades were made, monitoring reports show improvement in water quality and vapor extraction from the site. PCE levels in groundwater have reduced by an order of magnitude, from the thousands to the hundreds of micrograms per liter. Furthermore, laboratory results demonstrate vapor in indoor air samples have significantly reduced in concentration. The October 2011 monitoring report shows that chlorinated vapors in indoor air now exist at levels that no longer pose a risk to human health. Water Board staff will continue to review monitoring reports to verify that corrective actions continue at the site for furthering cleanup of soil and groundwater pollution, and protection of indoor air quality.

#### Water Board Annex Office Move – Chuck Curtis

The Water Board's South Lake Tahoe annex office began preparation this month to move to a new location near the Water Board's

headquarters office; the move will be complete by the end of the year. The current annex office houses the Cleanup and Site Investigations Unit (CSI) and the Leviathan Mine Unit. The new facility on Silver Dollar Avenue will house all staff in the Regulatory Compliance Division: the Leviathan Mine, North Basin Regulatory, and Enforcement and Special Projects Units. The CSI Unit will join the Non-Point Source Unit and TMDL/Basin Planning Unit in the main office to consolidate all units of the Planning and Restoration Division. Consolidation of the units of each Division in one office will facilitate management and coordination within each Division. Although I would much rather have all the South Lake Tahoe staff in one office, there is not an appropriate building in town to accommodate all the Tahoe staff: at least the new annex office is just a short walk away. In addition to housing staff, the new annex facility has a large meeting room that will be used for Water Board meetings held in the northern portion of the Region and a large equipment storage room for the Leviathan Mine Unit's needs. Modern audio-visual and wireless Internet equipment will be included in the new facility. Until the move is complete, minor disruption to staff in both South Lake Tahoe offices will occur. We have encouraged staff to telecommute during the most disruptive days of the move. and, for those that can't telecommute, we've set up alternate work stations.

#### State Water Plan Update Regional Authors "Kick-Off" Meeting – Cindy Wise

The California Water Plan (Water Plan) provides a collaborative planning framework to make informed decisions about California's water future and is updated every five years; "Update 2013" is currently underway. As part of this update, Water Board staff participated in a December 15 "Kick-off" meeting for lead authors on the Regional Reports section of the Water Plan. This meeting was hosted by Department of Water Resources (DWR) staff as DWR is

the lead agency responsible for the Water Plan update. The Regional Reports section of the Water Plan is comprised of reports on 12 geographic areas of the state including North and South Lahontan as well as North Coast, San Francisco Bay, Central Coast, Sacramento River, San Joaquin River, Tulare Lake, Colorado River, Bay-Delta, and Mountain Counties. The current draft outline for the Regional Report section proposed by DWR staff includes descriptions of recycled water use, drinking water, surface and groundwater quality. resource management strategies with an objective of improving water quality, major water quality related accomplishments and projects in the region between 2009-2013. These sections will also include major water quality challenges in the region and actions currently undertaken or that need to be undertaken to address these challenges. DWR staff is planning for the first draft of the Regional Reports sections in March 2012.

#### Statewide Grazing Project Scope of Work Accepted by MCC - Cindy Wise

The State and Regional Boards' Management Coordinating Committee (MCC) identified opportunities to use statewide and multi-region collaboration to more effectively and efficiently address waters listed as impaired on the Clean Water Act 303(d) list by developing tools in addition to TMDLs. This collaboration includes the Statewide Grazing Regulatory Action project (RAP) with Lahontan Water Board staff as the lead. As part of the November MCC meeting, Water Board staff presented the Grazing RAP workplan and schedule. The workplan includes these proposed FY 2011-12 activities: development of a problem statement, summary of grazing impacts statewide, an evaluation of grazing management tools and other efforts underway or in the use in the nine Regional Water Boards (such as waste discharge requirements, waivers of waste discharge requirements, TMDLs, financial assistance, enforcement of Basin Plan

prohibitions), and identification and/or development of a suite of management tools to best address waters listed as impaired due to grazing impacts. MCC accepted the Grazing RAP workplan.

#### Upper Truckee River Restoration and Golf Course Reconfiguration Project – Robert Larsen

Water Board staff have been involved with, and supportive of, the California Department of Parks and Recreation's (State Parks) concept to restore degraded portions of the Upper Truckee River that pass through lands managed by State Parks. State Park's preferred project alternative involves moving a portion of the existing golf course into an area of the adjacent Washoe Meadows State Park. This selected alternative has resulted in some local residents adamantly opposing the restoration plans.

In October 2011 the California State Park and Recreation Commission met in South Lake Tahoe to consider the needed amendment to the State Recreation Area/State Park boundary to facilitate the State Parks' preferred river restoration alternative. The meeting was well attended, and more than 50 people spoke during more than two hours of public testimony. Water Board staff attended the meeting and spoke in favor of project alternatives that provided for full geomorphic restoration of the effected river reach. Such restoration efforts are a critical part of the Lake Tahoe TMDL implementation plan, and are the single most cost effective way to reduce fine sediment loading to Lake Tahoe. The restoration plans will also improve the extent and function of the riparian corridor, enhance fishery and wildlife habitat, and help attenuate flood flows.

After hearing from the public and deliberating with State Parks staff, the State Park and Recreation Commission unanimously approved the State Parks alternative to relocate portions of the golf

Executive Officer's Report
December 16, 2011 – January 15, 2012

course to higher capability land and restore the Upper Truckee River riparian corridor.

-4-

A group of local residents has responded to the State Parks Commission action by filing a lawsuit to block the approved land use change. Water Board staff will continue to support State Parks conceptual efforts to implement river restoration plans on this portion of the Upper Truckee River.

#### **SOUTH BASIN**

## 7. Regulatory Program Outreach for the San Bernardino Mountain Community – Jan Zimmerman

There has long been a need for a public forum to introduce the Water Board's regulatory programs to the San Bernardino Mountain community. Over the last decade there has been considerable development in the San Bernardino Mountains, which overtime, has contributed to increased runoff volumes and increased sediment loads to the mountain lake systems. As a result, lake managers and local water agencies are realizing a marked reduction in the capacity of the mountain lakes, and residents and visitors alike are noticing changes in the water quality of the area lakes and streams.

Water Board staff had the opportunity to partner with staff from the California Department of Fish and Game (CDFG) to present an overview of our respective environmental programs at the San Moritiz Lodge at Lake Gregory in November 2011. The community event was hosted by San Bernardino County Parks and Recreation and was moderated by members of the Sierra Club. In attendance were residents from the local communities of Crestline. Running Springs, Lake Arrowhead, and Green Valley Lake, as well as members from the Sierra Club and the Crestline Chamber of Commerce, representatives from the San Bernardino County Board of Supervisors, and staff from the San Bernardino County Planning and Flood Control departments. Water Board staff's presentation focused on "Who We Are, What We Do, and Why We Care" with an emphasis on our dredge and fill and stormwater regulatory programs under the Federal Clean Water Act and the California Porter-Cologne Water Quality Control Act. Staff also presented a brief overview of the

environmental review process under the California Environmental Quality Act (CEQA), and encouraged public participation during the public review period.

Attendees were receptive to staff's presentation. Audience questions included clarification on the types of activities that may trigger a dredge and fill permit and requests for additional information on how individuals can provide comment on projects during the public review period under CEQA. In addition, several local residents had specific questions regarding Lake Gregory. Reportedly, San Bernardino County Parks and Recreation is working with the newly formed Lake Gregory Improvement Committee to develop a Lake Maintenance Plan that identifies the regular maintenance needs to maintain capacity and recreational aspects of the lake as well as a habitat restoration and enhancement component to improve fishing and freshwater habitat of the lake. Water Board staff and staff from the CDFG intend to schedule a subsequent public meeting in the near future to discuss issues specific to Lake Gregory. For that meeting we will encourage the involvement of representatives from the United States Army Corps of Engineers to present information on their permitting requirements under section 404 of the Clean Water Act.

## 8. The Adelanto Public Utility Authority New Well Installation – John Morales

The Adelanto Public Utility Authority (Authority) owns and operates the Adelanto Domestic Wastewater Treatment facility, which collects and treats an average daily flow of 2.2 million gallons per day (mgd) of domestic and industrial wastewater within the City of Adelanto. Disposal is by

-6-

percolation ponds to underlying groundwater.

In 2010, the Authority was issued an Investigative Order that requires, among other things, a monitoring well network sufficient to evaluate the effect of waste discharges from the facility on groundwater. In 2010, the Authority had six existing wells in place. The Order required the Authority to propose additional monitoring wells sufficient to evaluate the full downgradient extent of groundwater degraded with nitrate and dissolved solids. In October 2010, the Authority submitted a **Groundwater Monitoring Program** proposing to install five new groundwater monitoring wells to fill in data gaps in the monitoring well network.

In September 2011, the Authority performed well development activities on the six existing wells to remove sand and silt accumulations. In early December 2011, the Authority began constructing the five new monitoring wells. After completing construction of the new well, the Authority will submit a report describing conditions encountered, geologic lithology, completed well construction diagrams, and water quality encountered.

#### 9. City of Barstow Compliance with Enforcement Orders – Ghasem Pourghasemi

Following is the status of the City of Barstow (City) compliance with three orders.

## a. 13267 Order for Nitrate in Groundwater Investigation

Groundwater monitoring data from the third quarter of 2011 showed that the nitrate plume along Soapmine Road is still contiguous and moving southeast. Water Board staff requested the City to correct

deficiencies and resubmit the final Remediation Action Plan by the end of February 2012. This is the plan to clean-up the nitrate in groundwater in the Soapmine Road area and along the south side of the Mojave River. Once this plan is submitted, Water Board staff will hold a workshop for the affected residents to store information and solicit comments on the plan. Water Board staff also accepted a work plan from the City to install an extraction well and conduct a higher volume aquifer test than previously completed. This new well is constructed and the City intends to complete the test by mid-January 2012.

#### b. Cease and Desist Order Initiating Wastewater Treatment Plant Upgrade

The City completed an upgrade to the wastewater treatment plant in July 2009 and is in compliance with the Order. Effluent total nitrate concentrations were 10 mg/L for the last 12 months of operation ending November 2011.

#### c. Cleanup and Abatement Order Requiring Soapmine Road Area Replacement Water

The City continues well sampling of 39 residential drinking water wells in the Soapmine Road area as required by the Order. Currently, the City supplies 33 residences with uninterrupted replacement water service (bottled water) for residences where nitrate has been detected in wells at concentrations at or exceeding 5 mg/L nitrate (as N). The analytical results for the third quarter of 2011 monitoring event shows that one private well in the affected area exceeded the maximum contaminant level for nitrate-as N of 10 mg/L and a total of eight private wells showed nitrate (as N) concentrations exceeding 5 mg/L. The reasons more residents are receiving bottled water then wells exceeding 5 mg/L

-7-

nitrate (as N) are: (1) some wells supply water to multiple residences; and, (2) some wells with declining nitrate concentrations have not yet exhibited four consecutive quarters of less than 5 mg/L nitrate (as N) which is the criteria for discontinuation of replacement water.

## 10. Barstow Perchlorate Site Investigation Status Update – Tim Post

Regional Water Board staff and its environmental contractor URS, Inc. performed the fieldwork portion of the perchlorate in groundwater investigation during the week of December 12, 2011. Soil borings were advanced to groundwater at 19 locations down gradient of the suspected source area and groundwater samples collected. The results from the groundwater analyses will assist Water Board staff in assessing the extent of perchlorate-contaminated groundwater migration. The data collected will be evaluated along with data collected earlier by the Water Board from private water supply wells in the area.

The Water Board received written permission from owners to conduct this investigation and all the landowners who allowed access to their property will receive a copy of the site investigation report. The report summarizing the results of the investigation will be available in February or March 2012.

During January, April, September and December 2011, Water Board staff resampled the two contaminated residential wells near Poplar Street and split samples from another 17 monitoring wells with the City of Barstow's environmental contractor. Perchlorate was detected in the samples from the private wells and the analytical results were mailed to the residents.

The report summarizing U.S. EPA's site investigation at the former owner of Mojave Pyrotechnics Corporation is in senior review and should be made public shortly. Based on the results of the investigation, U.S. EPA plans to perform a removal of contaminated soil at the site in the spring of 2012.

## 11. Mojave Water Agency Technical Advisory Committee Meeting – Jan M. Zimmerman

The Mojave Water Agency (MWA) manages groundwater resources in the Mojave, El Mirage, Lucerne Valley, Morongo, and Johnson Valley basins. The MWA service area is within the boundaries of two Regional Water Boards, the Lahontan and Colorado River Water Boards. The Mojave and El Mirage basins are located in the Lahontan Region. The Lucerne, Johnson Valley, and Morongo groundwater basins are located in the Colorado River Region.

Since 1994, MWA has been proactive in the development of a comprehensive water resources plan and worked closely with stakeholders to develop an Integrated Regional Water Management Plan (Mojave IRWMP) in 2004. The IRWMP addresses components of groundwater management, urban water management, agricultural water use, environmental habitat protection and restoration, and water quality throughout the MWA service area.

To engage stakeholder participation between the water purveyors, farmers, property owners and other stakeholder groups in the High Desert, MWA formed the Technical Advisory Committee (TAC). The MWA Board of Directors actively solicits input from the TAC before making decisions on regional water issues. Water Board staff attended a TAC meeting in December 2011. MWA staff provided an

update of the various projects supported with Proposition 50 funds: the Tamarisk Removal Project is ongoing and is being implemented in coordination with the Mojave Desert Resource Conservation District; all regulatory permits have been obtained for the Regional Recharge and Recovery Project and the infrastructure is currently under construction; and the Oro Grande Wash Recharge Project is in the permitting phase, with construction anticipated to begin early 2012.

MWA is preparing an application for Proposition 84 planning grant funds on behalf of the Mojave group and will be submitting that application in February 2012 to secure funding for a Mojave IRWMP update.

MWA provided the group with an overview of what will be included in the IRWMP update and urged the stakeholders to identify potential water management projects to be included in the updated plan.

The draft scope of work for developing a Salt and Nutrient Management Plan for the Mojave IRWMP Region was discussed. MWA proposes to incorporate this plan as an appendix to the updated IRWMP.

MWA staff informed the group that MWA entered into a one-for-one Banking and Exchange Program with the Metropolitan Water District (MWD). The contract, which was effective July 2011, will allow for banking of a portion of MWDs allocated State Water Project (SWP) water in the Mojave Basin for a total volume not to exceed 390,000 acre-feet through the year 2035. When MWD needs water, MWA will return water to MWD through direct transfer of MWAs allocated SWP water. Both MWA and MWD will share the costs associated with banking and exchange under this agreement.

## **ENCLOSURE 3**

# EO'S Monthly Report 11/16/11 - 12/15/11 Unauthorized Waste Discharges

COUNTY: SAN BERNARDINO	ERNARDINO								
Discharger/Facility	Location	Basin	Regulated Facility	Substance Discharged	Spill Date	Discharge Volume	Description of Failure	Discharge To	Status
Molycorp Minerals LLC / Mountain Pass Mine	Wastewater Treatment System Lined Ponds, Recovery Well RW-8	S	>	Recovery Groundwater	12/5/2011	250 - 300 Gallons	Overflow due to failed gasket released water into a vault and outside the containment vault.	Ground	The pump was shut down following identification of failure. The gasket was repaired, the standing water recovered, and the impacted soil was excavated. Cleanup complete. No further action recommended.
Lake Arrowhead CSD / Sanitary Sewer System	867 Strawberry Peak Road, Lake Arrowhead	S	>	Sewage	12/14/2011	4/2011 350 Gallons	Root intrusion caused 350 gallons of sewage to spill from manhole. Sewage flowed into underground storm drain pipe and then into Grass Valley Creek adjacent to 26931 Fern Rock Road.	Grass Valley Creek	Grass Valley Blockage cleared, flow restored, overflow stopped. Ponded sewage collected and disposed to sewer. Discharger will hydro-flush sewers in the area to remove deposited solids and video the lines to verify solids. Samples collected and area posted. No further action pending review of written spill report.
Molycorp Minerals / Mountain Pass Mine	Wastewater Treatment Lined Ponds	S	>	Mining Process Wastewater	12/14/2011	50 - 60 Gallons	Pipe ruptured due to heavy equipment operation. Wastewater discharged to ground.	Ground	Pipeline repaired. Standing water recovered, impacted soil excavated. Concrete barrier replaced. Pipeline covered with a thicker layer of gravel. No further action recommended.

## **ENCLOSURE 4**

# No Further Action Required Letters Issued November 16 - December 15, 2011 January 2012 EO Report Summary of

State of California Lahontan Regional Water Quality Control Board

Remaining soil contamination is localized and will not affect potential receptors, including groundwater, associated with any of the various exposure pathways.	None	>1,000 feet	10,990 TPHd	Į	UST	<b>6B360</b> 1060T	35858 Ghost Town Road, Yermo	Yermo Shell and Truck Stop	November 21, 2011
Comments	Remedial Methods Used	Distance from Site to Nearest Receptor	Residual Soii Concentrations (In mg/Kg) [date sampled]	Groundwater Concentrations above Water Quality Objectives (in ug/L) [date sampled]	Case Type	Case Number	Site Address	Site Name	Date Closure issued

~ - Approximately

TPHg - Total petroleum hydrocarbons quantified as gasoline TPHd - Total petroleum hydrocarbons quantified as diesel TPHm - Total petroleum hydrocarbons quantified as motor oil

MTBE - methyl t-butyl ether

ug/L - micrograms per liter mg/kg - miligrams per kilogram ND- Not Detected NA-Not Applicable NT- Not Tested

**UST-Underground Storage Tank** 

MUST- Military Underground Storage Tank SCP-Site Cleanup Program DoD- Department of Defense NFAR- No Further Action Required