

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

**AMENDED CLEANUP AND ABATEMENT ORDER NO. R6V-2011-0005A3
WDID NO. 6B369107001
REQUIRING PACIFIC GAS AND ELECTRIC COMPANY
TO CLEAN UP AND ABATE WASTE DISCHARGES OF
TOTAL AND HEXAVALENT CHROMIUM TO THE
GROUNDWATERS OF THE MOJAVE HYDROLOGIC UNIT**

San Bernardino County

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

1. The Pacific Gas and Electric Company (PG&E) owns and operates the Hinkley Compressor Station located southeast of the community of Hinkley in San Bernardino County.
2. On October 11, 2011, the Water Board issued Cleanup and Abatement Order R6V-2011-0005A1 (Order) to PG&E. The Order required, in part, that PG&E provide interim and whole house (“permanent”) replacement water service to those served by domestic or community wells that are within the affected area and determined to be impacted by its discharge. PG&E has provided interim replacement water service in the form of bottled water delivered to residents in the affected area that are determined to be impacted by its discharge.
3. The Order requires that bottled water provided as the interim replacement water must meet primary and secondary drinking water standards. Because there is currently no drinking water standard specifically for hexavalent chromium, the Order required that interim replacement water not exceed the public health goal of 0.02 ug/L¹, or the final Maximum Contaminant Level (MCL), once that standard is adopted by the California Department of Public Health (CDPH).
4. In a letter dated February 7, 2013, to the Water Board, PG&E requested “that the order requirements for interim water replacement (bottled water) be satisfied by PG&E’s provision of commercially available bottled drinking water.” PG&E stated that the requirement that bottled water have non-detectable levels of hexavalent chromium is challenging to meet and creates unnecessary uncertainty and alarm in the community about the quality of bottled water service.
5. Water Code 13304(f) requires that replacement water be of comparable quality to that which it was provided by the well prior to the adverse effect to the water supply by the discharge. For the purposes of interim water supply, the average background concentration of hexavalent chromium is considered “comparable water quality.” The

¹ Because this is below the reporting limit, for purposes of this standard, drinking water must test below the reporting limit of 0.06 ug.L due to the limitation of laboratory analysis to accurately detect lower levels of chromium.

average background concentration of hexavalent chromium is 1.2 µg/L, as established in Cleanup and Abatement Order No. R6V-2008-0002A1. The hexavalent chromium water quality requirement for the permanent, whole house replacement water supply is unchanged.

6. The issuance of this Order is an enforcement action taken by a regulatory agency and is exempt from the provision of the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.), pursuant to California Code of Regulations (CCR), title 14, section 15321, subdivision (a)(2). In addition, CEQA includes a “common sense exemption” in CCR title 14, section 15061, subdivision (b)(3), which states that where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. It can be seen with substantial certainty that the issuance of this order, which amends Order R6V-2011-0005A1, would not have a significant effect on the environment.

IT IS HEREBY ORDERED, pursuant to Water Code section 13304 that Order No. R6V-2011-0005A1 is amended as follows:

CAO R6V-2011-0005A1, paragraph 1.b, fourth sentence reads:

“The report must include documentation to show that interim water supply meets state primary and secondary drinking water standards and hexavalent chromium levels of less than 0.02 µg/L¹ or the final MCL, once that standard has been adopted by CDPH.”

¹ For the purposes of the 0.02 µg/L standard, drinking water must test below the reporting limit of 0.06 µg/L due to the limitation of laboratory analysis of low levels of chromium.

CAO R6V-2011-0005A1, Paragraph 1.b., fourth sentence is amended to read:

“The report must include documentation to show that interim water supply meets state primary and secondary drinking water standards and hexavalent chromium levels of up to 1.2 µg/L or the final MCL, once that standard has been adopted by CDPH.”

Previous Orders

All other Orders in CAO R6V-2011-0005, CAO R6V-2011-0005A1, CAO R6V-2011-0005A2, and CAO R6V-2013-0001 remain in effect unless later modified by the Water Board, the Water Board’s Executive Officer, or his/her designated representative.

Right to Petition: Any person aggrieved by this action of the Lahontan Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following.

The State Water Board must *receive* the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at: http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

Ordered by: Patty Z. Kouyoumdjian Dated: 02-18-14

PATTY Z. KOUYOUMDJIAN
EXECUTIVE OFFICER