

Regional Water Quality Control Board  
North Coast Region

Executive Officer's Summary Report  
Thursday, December 15, 2016  
Regional Water Board Office  
Santa Rosa, California

ITEM: 4

**SUBJECT:** Public Hearing on Amendment Order No. R1-2016-0042 to Add Trinity River Timber Company dba North Fork Lumber Company (North Fork Lumber Company) as a Permittee to the National Pollutant Discharge Elimination System (NPDES) Permit, Order No. R1-2013-0008, NPDES No. CA0005932, and Cease and Desist Order No. R1-2013-0009, for Korbel Sawmill, WDID NO. 1B800200HUM. (*Justin McSmith*)

**BOARD ACTION:** The Board will consider adoption of Amendment Order No. R1-2016-0042 (Proposed Order). The Proposed Order will amend the Permittees in the above-referenced orders.

**BACKGROUND:** California Redwood Company (CRC and Owner) owns and operated the Korbel Sawmill (Facility), located at 1165 Maple Creek Road in Korbel, Humboldt County, from 2006 until certain Facility operations shut down on February 5, 2015. The Facility consists of an unpaved log yard, sawmill, planer mill with a chemical application process for wood surface protection, debarker, sorter, dry kiln, truck fueling and fuel storage areas, and a shop facility. Lumber, log storage yards, and lumber manufacturing operations occur on approximately 112 acres. Onsite operations include: wet and dry log decking and sorting, sawmilling, lumber planing, lumber drying in kilns, lumber storage and shipping, and by-product generation and management. The Owner ceased operation of boilers and kilns in August 2014, and the sawmill and planing operations in February 2015. The North Fork Lumber Company (Operator) has been operating and maintaining the Facility since June 1, 2016.

On April 18, 2016, the Owner requested that the Regional Water Board amend NPDES Order R1-2013-0008 (Permit), and Cease and Desist Order No. R1-2013-0009 (CDO), to clarify that while CRC still owns the Facility, the North Fork Lumber Company is the new Facility operator and shall be named as the Permittee. The Owner also requested other changes to the Permit. Regional Water Board staff did not make the additional requested changes at this time besides the addition of a permittee, and informed CRC these will be addressed when the Permit is renewed in 2018.

The CDO was issued to CRC on May 2, 2013, due to its inability to comply with copper and lead effluent limitations in the Permit. The CDO provides a compliance schedule for CRC to

develop, submit, and implement methods of compliance, including developing and implementing pollution prevention measures or constructing necessary treatment facilities to meet effluent limitations for copper and lead. CRC is required to achieve full compliance with the copper and lead effluent limitations by May 1, 2018.

**ISSUES:** The Proposed Order amends the Permit and CDO to add the Operator as a permittee. The Proposed Order was posted for 30-day public comment. A comment letter (attached) was received from the Owner. A complete Response to Comments document is also attached. The Owner expressed concern that it is still named as a Permittee along with the Operator. The Owner requested that the amended Permit and CDO include a statement explaining that, for purposes of the NPDES permit obligations, the Operator is the permittee. CRC further requested changes to the Permit to state that the Operator is responsible for day-to-day operations and monitoring and reporting obligations.

In response to the Owner's comments, staff revised the Permit and the CDO to clarify that the North Fork Lumber Company, as the Operator, is primarily responsible for monitoring and reporting obligations and day-to-day operations and CRC, as the owner, remains secondarily responsible for the Permit and CDO requirements.

Adoption of the Proposed Order is uncontested by the Permittees.

**RECOMMENDATION:** Adopt Order No. R1-2016-0042, as proposed.

**SUPPORTING  
DOCUMENTS:**

1. Proposed Order No. R1-2016-0042
2. Staff Response to Written Comments
3. California Redwood Company Comment Letter
4. Public Notice