

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

ORDER NO. R4-2004-0118

WASTE DISCHARGE REQUIREMENTS
For
UNITED ROCK PRODUCTS CORPORATION
Pit No. 2 Mine Reclamation
(File No. 04-002)

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

1. United Rock Products (URP) Corporation (Discharger) owns and operates the URP Pit No. 2 (the site), a construction aggregate mining pit at 1245 E. Arrow Highway, Irwindale, California. The site is bounded on the north by the Buena Vista Channel, on the south by Arrow Highway and on the east by Buena Vista Street (Figure 1). The center of the site is located at approximately 34°06'56"N and 117°59'23"W.
2. The Discharger also operates two similar aggregate mining pits (URP Pit No. 1 and URP Pit No. 3) and a rock plant (Rock Plant) in the vicinity of Pit No. 2 (Figure 2). Pit No. 1 is currently operated as an inert landfill as regulated by waste discharge requirements (WDRs) contained in Board Order No. 01-179 that was adopted on December 13, 2001. Pit No. 3 has been permitted as an inert landfill since 1973 by the Regional Board. The most recent WDRs for Pit No. 3 (Order No. 01-131) were adopted by this Regional Board on September 19, 2001. However, no wastes have been discharged at Pit No. 3 since 1988, except for native geological materials (clean aggregate mining waste). The Rock Plant has been utilized to process and stockpile materials extracted from the three pits.
3. The URP Pit No. 2 includes approximately 134 acres of land and has been mined for sand and gravel by the Discharger and its predecessors since the early 1900s. As permitted by the City of Irwindale, the site has been, and will continue to be, mined below the groundwater table. Currently, the site is being mined using a floating dredge. The extracted sand and gravel are processed in the Rock Plant. Non-saleable processed materials from the Rock Plant have been backfilled to Pit No. 1 and Pit No. 3.
4. On December 19, 2003, the Discharger, through its consultant, Justice and Associates, filed a Report of Waste Discharge (ROWD) in accordance with the California Water Code (CWC) and applied for WDRs for the discharge of non-saleable mine materials back to Pit No. 2. As required by Regional Board staff, Justice and Associates submitted additional documents for the ROWD on December 31, 2003 and January 7, 2004.
5. The proposed discharge methods include backfilling the waste material from the Rock Plant to Pit No. 2 by means of sluicing and trucking. The sluicing process involves mixing the waste materials (primarily clay and silt) with groundwater that has been used in the mining

process and pumping the mixture to various locations at the pit. Water is used in the mining process to wash fine material (clay and silt) off the coarse material (gravel and sand). No chemicals are added in either the mining or the sluicing processes. The quantity of solid material that will be sluiced is approximately 5,000 to 7,500 tons per month.

6. The quality of the groundwater at the site, as shown by the analytical results of five samples taken from groundwater well IRW-1 at the Rock Plant in 2003 is as follow:

<u>Parameter</u>	<u>Units</u>	<u>Average concentration</u> *
Total dissolved solids	mg/L	159
Sulfate	mg/L	17.8
Chloride	mg/L	16.6
Boron	mg/L	0.131
pH	pH unit	7.56
Volatile Organics	ug/L	Not Detected

* Based on five sample taken at groundwater well No. IRW-1 on February 28, March 12, May 29, August 14, and December 1, 2003.

7. The quality of the water that will be used in the sluicing process (local groundwater used in the mining process), is as follow:

<u>Parameter</u>	<u>Units</u>	<u>Average concentration</u> *
Total dissolved solids	mg/L	228
Sulfate	mg/L	25
Chloride	mg/L	6.5
Boron	mg/L	<0.25
pH	pH unit	8.0
Pesticides and PCBs	ug/L	Not Detected

* Based on three sample taken on February 7, 8, and 11, 2002.

8. The site is subject to reclamation as required by the State Surface Mining and Reclamation Act of 1975 (SMARA) (Public Resources Code § 2710 et seq.) and the City of Irwindale’s Surface Mining Ordinance. On February 15, 1996, the City of Irwindale approved a reclamation plan, dated January 23, 1996, for the site. The reclamation plan states that “The site will be backfilled, if required by law, to a minimum elevation of 331 feet above mean sea level, which is ten feet above the historic high groundwater elevation of 321 feet.”

9. The City of Irwindale is currently in the process of amending the reclamation plan for Pit No. 2 that, if approved, will allow URP to mine the pit to a maximum depth of 410 feet below ground surface (The maximum depth that may be mined under the current reclamation plan is 275 feet below ground surface). The proposed amended Reclamation Plan for Pit No. 2 (dated June 2004) states that “The easterly one-third of the Quarry will be backfilled to street level,

the westerly one-third will be filled the ten feet above the historic high water elevation (approximately 75 feet below street grade), and the remaining one-third will be filled to approximately 37 feet below street level.” The reclaimed land use of the site will be “mixed-use industrial and commercial”.

10. Section 20230(a) of title 27, California Code of Regulations (27 CCR), provides that “*Inert waste is that subset of solid waste that does not contain hazardous waste or soluble pollutants at concentrations in excess of applicable water quality objectives, and does not contain significant quantities of decomposable waste.*”
11. Section 13050(q)(1) of CWC provides that, in part, “‘*Mining waste*’ means all solid, semisolid, and liquid waste materials from the extraction, beneficiation, and processing of ores and minerals.”
12. Section 20230(c) of 27 CCR provides that the Regional Board “can prescribe individual or general WDRs for discharges of inert wastes.”
13. The site is located approximately one-half mile to the west of the Santa Fe Dam and the San Gabriel River channel. The area behind the dam and the unlined river channel are used for spreading groundwater for recharge purposes.
14. The site overlies a major drinking water aquifer in the Main San Gabriel Basin in the Los Angeles-San Gabriel Hydrologic Area. Aquifers within the basin are comprised primarily of coarse sand and gravel. Recent groundwater level at the site varies between 200 to 240 feet above mean sea level (amsl), depending on the season of the year and the nearby groundwater recharge activities. The direction of groundwater flow at the site is generally to the southwest and south and groundwater flow velocities have been measured at 6.82 to 7.20 feet/day at the vicinity of the site.
15. Pursuant to section 402 (p) of the Clean Water Act (33 USC §1342(p)) and title 40 of the Code of Federal Regulations (40 CFR) parts 122, 123, and 124, the California State Water Resources Control Board (State Board) adopted a National Pollutant Discharge Elimination System (NPDES) General Permit to regulate storm water discharges associated with industrial activities in California (State Board Order 97-03-DWQ). Storm water runoff from the Rock Plant and the three aggregate mining pits of URP is currently regulated under the general NPDES permit (WDID No. 4 19S000779, enrolled on March 20, 1992). URP is implementing a Storm Water Pollution Prevention Plan (SWPPP) at the site as required by the general NPDES permit.
16. On June 13, 1994, this Regional Board adopted a revised *Water Quality Control Plan for the Coastal Watersheds of Los Angeles and Ventura Counties* (Basin Plan). The Basin Plan (including its subsequent amendments) designates the following beneficial uses for groundwater within the Main San Gabriel Basin: municipal and domestic supply, agricultural supply, industrial process supply, and industrial service supply. The requirements in this Order, as they are met, are in conformance with the goals of the Basin Plan.

17. On July 7, 1994, the City of Irwindale certified a Final Environmental Impact Report (SCH No. 93041040) by adopting Resolution No. 247(94) for the mining and reclamation of the site under the California Environmental Quality Act (Public Resource Code, § 21000 et seq.).

The Regional Board has notified the Discharger and interested agencies and persons of its intent to adopt WDRs for this disposal of waste to land and discharge, and has provided interested persons with an opportunity to submit their written views and recommendations.

The Regional Board, in a public meeting, heard and considered all comments pertaining to the discharge and to the tentative requirements.

Pursuant to section 13320 of CWC, any aggrieved party may seek review of this Order by filing a petition with the State Board. The petition must be received by the State Water Resources Control Board, P.O. Box 100, Sacramento, CA 95812, within 30 days of the date this Order is adopted.

IT IS HEREBY ORDERED, that URP (Discharger) shall comply with the following at URP Pit No. 2 and the Rock Plant:

A. Discharge Specifications

1. Wastes disposed at URP Pit No. 2 shall be limited to inert mining wastes (native geological materials) generated by URP's aggregate mining activities at or in the vicinity of the site. The wastes may either be sluiced or trucked to the site.
2. The water used in the sluicing process must be local groundwater that has been used in the mining process. No chemicals or any other additives shall be added to the waste or the sluicing water.
3. The water used in the sluicing process shall not contain any pollutants in concentrations exceeding the Maximum Contaminant Levels (MCLs) adopted by the California Department of Health Services pursuant to the California Safe Drinking Water Act.
4. The Discharger shall remove and relocate to a legal point of disposal any wastes that are discharged in violation of these requirements. For the purpose of these requirements, a legal point of disposal is defined as one for which WDRs have been established by a California regional water quality control board, and is in full compliance therewith. In the event that the Discharger opts for a legal point of disposal outside the State of California, the legal point of disposal means a facility that is lawfully permitted under applicable state and federal laws to receive the type of waste improperly disposed of at the site.
5. The Discharger shall continue implementing the SWPPP and Storm Water Monitoring Program as required by the General NPDES Storm Water Permit at the site, including all good housekeeping and other best management practices (BMPs).

B. Prohibitions:

1. No hazardous wastes, designated wastes, or non-hazardous solid wastes (decomposable organic refuse such as, but not necessarily limited to, ordinary household and commercial refuse, tin cans, metals, paper and paper products, plasterboard, cloth and clothing, wood and wood products, lawn clippings, sod, shrubbery, hair, hide, bones, dead animals, roofing paper, tar paper, unquenched ashes mixed with refuse, market refuse, garbage, etc.) shall be deposited at this site.
2. No materials of a toxic nature such as insecticides, poisons, or radioactive materials, shall be deposited at this site.
3. No asbestos or asbestos products shall be deposited at this site.
4. Wastes deposited at this site shall be confined thereto, and shall not be permitted to enter drainage ditches or watercourses.
5. Erosion of deposited materials by surface flow shall be prevented.
6. Neither the discharge nor any treatment of wastes shall cause pollution or nuisance.

C. Water Quality Protection Standards and Discharge Limits

1. In accordance with section 20390 of 27 CCR, the following groundwater quality protection standards are established for this facility:

<u>Parameter</u>	<u>Units</u>	<u>Water Quality Protection Standard*</u>
Total dissolved solids	mg/L	450
Sulfate	mg/L	100
Chloride	mg/L	100
Boron	mg/L	0.5

* Based on the water quality objectives for the western area of the Main San Gabriel Basin contained in the Basin Plan.

2. Groundwater protection standards for other inorganic and organic pollutants are set to the MCLs adopted by the California Department of Health Services pursuant to the California Safe Drinking Water Act.

Water quality protection standards may be modified by the Regional Board based on more recent and/or more complete groundwater monitoring data, changes in background water quality, or for any other valid reason.

D. Provisions

1. The Discharger shall implement the attached Monitoring and Report Program No. CI 8799 (M&RP), which is incorporated herein by reference and revisions thereto, in order to detect, at the earliest opportunity, any unauthorized discharge of waste constituents or any unreasonable impairment of beneficial uses associated with (or caused by) discharges of waste at the site.
2. At any time, the Discharger may file a written request, including appropriate supporting documents, with the Regional Board Executive Office (Executive Officer), proposing modifications to the M&RP. The Discharger shall implement any changes in the revised M&RP approved by the Executive Officer upon receipt of a signed copy of the revised M&RP.
3. Unless otherwise approved by the Executive Officer, all analyses shall be conducted at a laboratory certified for such analyses by the State Department of Health Services. All analyses shall be conducted in accordance with the latest edition of "*Test Methods for Evaluating Physical/Chemical Methods*" (SW-846) promulgated by the United States Environmental Protection Agency.
4. The Discharger shall furnish, under penalty of perjury, technical or monitoring program reports in accordance with CWC section 13267. Failure or refusal to furnish these reports or falsifying any information provided therein renders the Discharger guilty of a misdemeanor and subject to the penalties stated in CWC section 13268. Monitoring reports shall be submitted in accordance with the specifications contained in the M&RP, as directed by the Executive Officer. Additionally, monitoring reports shall be prepared and signed by a registered civil engineer or registered geologist. The M&RP is subject to periodic revisions as warranted and approved by the Executive Officer.
5. The Discharger shall develop a workplan acceptable to the Executive Officer that describes the locations and construction details of a groundwater (including exposed groundwater in Pit No. 2) monitoring network that will adequately detect any release to groundwater from this disposal site within ninety (90) days after adoption of this Order, and must include the following:
 - a. A map depicting the locations of the ground water monitoring wells and a rationale for their number and spatial distribution.
 - b. Drawings and data depicting construction details of the proposed ground water monitoring network. These must include:
 - casing, borehole diameters and method of drilling;
 - casing materials to be used;
 - depth of each hole;
 - size, length, and position of screen;
 - nature and emplacement of filter pack and rationale for them;

- depth, composition, and emplacement of seals; and
- method and timetable for well development.

The groundwater monitoring network required by this Order may share monitoring facilities, such as monitoring wells with those that have been established under the WDRs for Pits No. 1 and No. 3.

6. The Discharger shall use the statistical procedures contained in 27 CCR section 20415(e)(7), to determine if there is a statistically significant increase for any background indicator parameter. Upon approval of the Executive Officer, alternative statistical procedures may be used.
7. In the event that a statistically significant increase is observed for any background indicator parameter, the Discharger shall establish an evaluation program in accordance with 27 CCR section 20425, unless such a program has already been submitted.
8. If evaluation monitoring determines that there is a statistically significant increase of any background indicator parameter that is resulted by the discharge of waste at the site, then the Discharger shall institute a corrective action monitoring program in accordance with 27 CCR section 20430.
9. The Discharger shall maintain copies of this Order at the site so as to be available at all times to personnel operating the site.
10. The Discharger shall file with this Regional Board a report of any material change or proposed change in the character, location, boundaries or quantity of this waste discharge at least 120 days prior to the date of such proposed change.
11. Within thirty (30) days of any change in name of operator or in control or ownership of land or waste disposal facilities owned or controlled by the Discharger, the Discharger shall:
 - a. Notify this Regional Board in writing of such a change; and
 - b. Notify the succeeding owner or operator by letter, a copy of which shall be filed with this Regional Board, of the existence of this Order.
12. Ninety (90) days prior to cessation of disposal operations at this site, the Discharger shall submit a technical report to the Regional Board describing the methods and controls to be used to assure protection of the quality of receiving waters during final operations and with any proposed subsequent use of the land. Such methods and controls shall comply with the foregoing technical report and the WDRs. The report shall be prepared under the direct supervision of a California registered geologist or engineer, or a California-certified engineering geologist.

13. This Regional Board considers the Discharger to have continuing responsibility for correcting any problems which may arise in the future as a result of this waste discharge or water applied to this site during subsequent use of the land for other purposes.
14. These requirements do not exempt the Discharger from compliance with any other laws, regulations, or ordinances which may be applicable; they do not legalize this waste disposal facility, and they leave unaffected any further restraint on the disposal of wastes at this site which may be contained in other statutes or required by other agencies.
15. In accordance with CWC section 13263(g), these requirements shall not create a vested right to continue to discharge and are subject to rescission or modification. All discharges of waste into the waters of the State are privileges, not rights.
16. The Discharger shall comply with all conditions of this Order and any additional conditions prescribed by the Regional Board in addenda thereto. Noncompliance with this Order constitutes a violation of the CWC and is grounds for:
 - a. enforcement action;
 - b. termination, revocation and re-issuance, or modification of this Order;
 - c. denial of a ROWD in application for new or revised WDRs; or
 - d. any combination of the foregoing.
18. Failure to comply with the terms and conditions of this Order may result in imposition of civil liability against the Discharger by this Regional Board, either by the Board or judicially by the Superior Court, in accordance with CWC section 13350 et. seq. and/or referral to the Attorney General of the State of California for such legal action as may be deemed appropriate.
19. This Order includes the attached ‘Standard Provisions Applicable to Waste Discharge Requirements’ (Attachment ‘W’), which is incorporated herein by references. If there is any conflict between provisions stated hereinbefore and the attached ‘Standard Provisions Applicable to Waste Discharge Requirements’, those provisions attached hereinbefore prevail.
20. In accordance with CWC section 13263, these requirements are subject to periodic review and revision by this Regional Board.
21. The filing of a request by the Discharger for the modification, revocation and re-issuance, or termination of this Order or notification of planned changes or anticipated noncompliance does not stay any condition of this Order.
22. The provisions of this Order are severable, and if any provision of this Order, or the application of any provision of this Order to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Order, shall not be affected thereby.

23. This Order becomes effective on the date of adoption by this Regional Board.

I, Jonathan Bishop, Interim 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, Los Angeles Region on August 5, 2004.

Jonathan Bishop
Interim Executive Officer

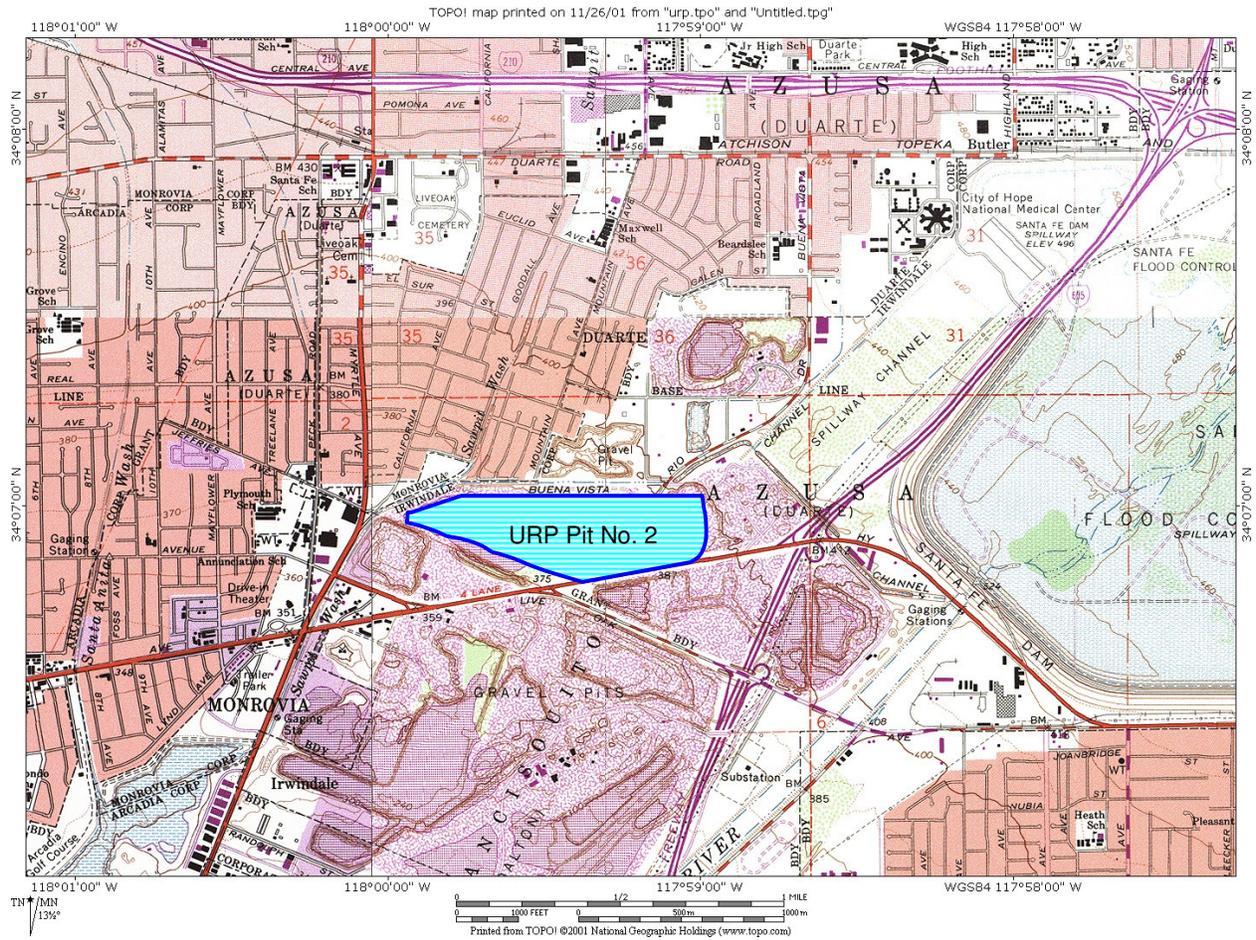


Figure 1

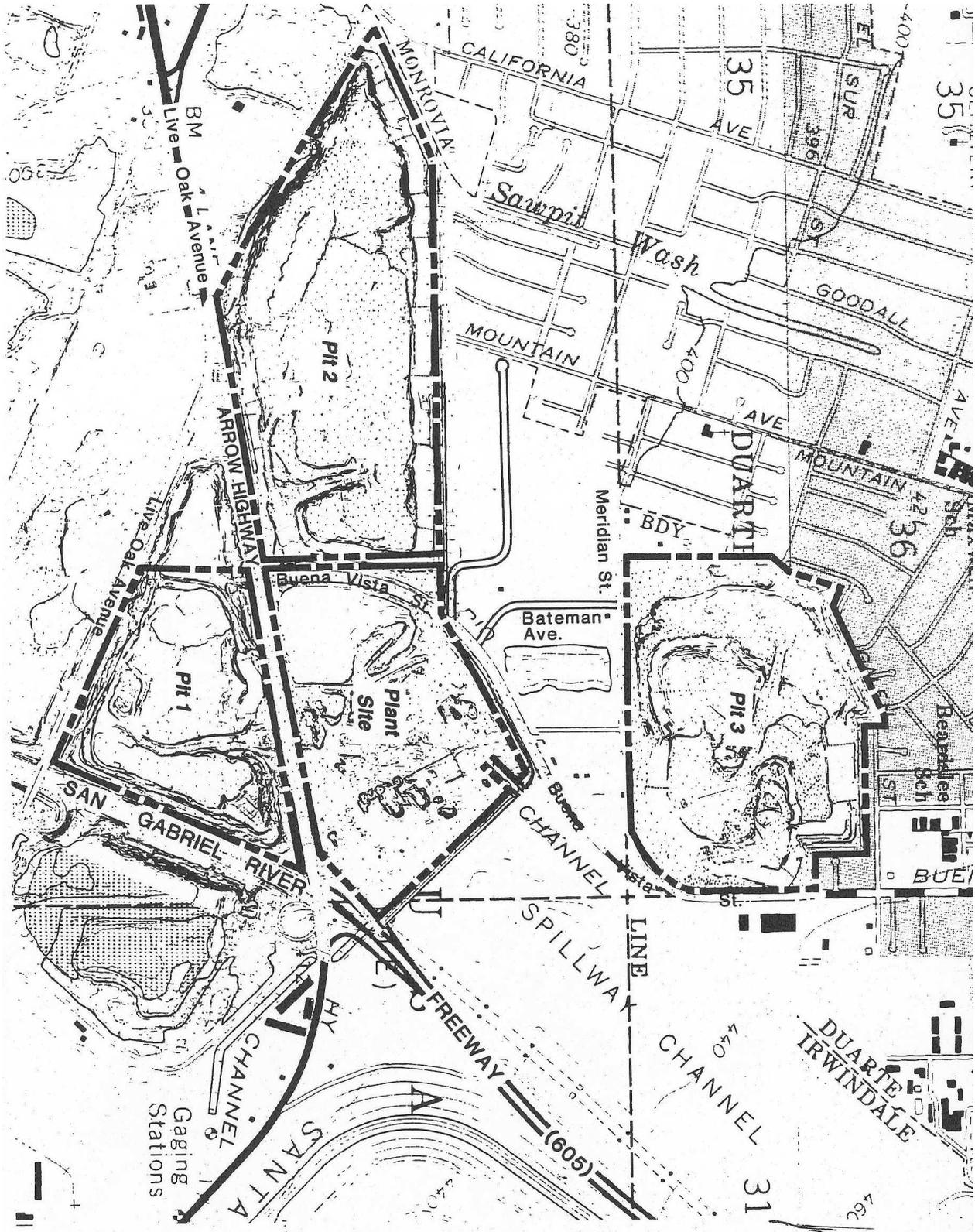


Figure 2