CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGIONAL

ORDER NO. R5-2005-0174

WASTE DISCHARGE REQUIREMENTS
FOR
CLEAR LAKE LAVA, INC., BEV AND BILL VAN PELT
AND UNITED STATES BUREAU OF LAND MANAGEMENT
HIDDEN VALLEY SAND AND GRAVEL
CACHE CREEK PLANT
LAKE COUNTY

The California Regional Water Quality Control Board, Central Valley Region, (hereafter Regional Board) finds that:

1. Clear Lake Lava, Inc., and Bev and Bill Van Pelt submitted a Report of Waste Discharge (RWD) dated 8 December 2005 (with supplemental information received on 29 August 2005) to update the existing Waste Discharge Requirements (WDRs).

2. The U.S. Bureau of Land Management owns the land on which Clear Lake Lava, Inc., and Bev and Bill Van Pelt operate Hidden Valley Sand and Gravel.

3. The U.S. Bureau of Land Management, Clear Lake Lava, Inc., and Bev and Bill Van Pelt are hereafter jointly named as Discharger.

4. Order No. 86-234, which prescribed requirements for the land discharge of aggregate process water, was adopted by the Regional Board on 12 December 1986. This Order is not adequate because the aggregate processing plant consistently exceeds the daily dry weather flow of 5,000 gallons per day (gpd) allowed by the Order. In addition, this Order is neither adequate nor consistent with current plans and policies of the Board, and is therefore being revised to reflect the current operations of the facility.

5. The facility is located along the North Fork of Cache Creek adjacent to Highway 20 in Sections 5 and 6, T13N, R6W, MDB&M in Lake County, approximately two miles north of the Cache Creek Bridge on Highway 20 as shown in Attachment A, which is attached hereto and made part of this Order by reference.

6. The aggregate processing plant and a small office are located on approximately 14 acres within a portion of two adjacent parcels of property owned by the U.S. Bureau of Land Management and leased to Clear Lake Lava, Inc. Surface mining is performed on approximately 125 acres in Assessors Parcel Number (APN) 010-009-25 and 134 acres in APN 010-009-34.

SAND AND GRAVEL OPERATIONS

7. The Discharger operates an aggregate processing plant at which the excavated materials are screened, washed, classified and sorted, and stockpiled. A process flow diagram is included as Attachment B, which is attached hereto and made part of this Order by reference.

8. The RWD states that the annual production of aggregate is between 35,000 and 40,000 tons with approximately 10,000 tons of that used as aggregate road base. No wash water is used during the production of the aggregate road base material.

9. The wash water used in the operation is pumped from the North Fork of Cache Creek using a 20 horsepower submersible pump. The wash water runs through a "sand screw" where sands and silts are separated and the sand is stockpiled. The silt and wash water then gravity flow through an 8-inch aboveground pipeline into a series of three settling ponds.

10. The ponds have a total surface area of 47,573 square feet and a volume of 55,343 gallons at two feet of freeboard. Each of the wash water ponds are interconnected. Pond Nos. 1 and 2 are connected via two 4-inch pipes and Pond Nos. 2 and 3 are connected by a rock lined ditch.

11. The Discharger generates up to 192,000 gpd of wash water from the aggregate processing plant. This discharge volume is based on pump run times.

12. The RWD states that each of the three wash water settling ponds are periodically allowed to dry and excavated to a depth of approximately eight feet. The excavated material is used for reclamation purposes.

13. The Discharger has completed a water balance for the facility that demonstrates that there is adequate storage capacity available for a monthly average inflow of 192,000 gpd. The water balance was prepared based on the design average daily flow, total pond capacities, pond percolation, local evaporation rates, and the local 100-year total annual precipitation rate.

14. The RWD indicates that there are no chemical additives used in the mining or processing operations.

15. The Discharger obtained a sample of the wastewater from one of the settling ponds in November 2004. Selected analytical results are presented below, and are contrasted with limits used to implement the applicable water quality objectives for protection of the beneficial uses of the underlying groundwater.

Constituent	Units	Wash Water Pond No. 1	Water Quality[1] Limit
Aluminum	µg/L	9,200	200
Barium	µg/L	160	490
Cadmium	µg/L	<1	0.07
Chromium, total	µg/L	37	50
Iron	µg/L	12,000	300
Manganese	µg/L	220	50
Nickel	µg/L	44	12
Silver	µg/L	NA	35

Constituent	Units	Wash Water Pond No. 1	Water Quality[1] Limit
Sodium	µg/L	26,000	20,000
Total dissolved solids	mg/L	250	450
pH (std. units)	std. units	7.6	6.5 to 8.4

[1]Or the natural background concentration in groundwater, whichever is higher.

16. With the exception of aluminum, iron, manganese, nickel, and sodium, these data indicate that the aggregate processing wastewater does not contain constituents at concentrations exceeding water quality objectives. The above analysis is based on only one sampling event, and it is appropriate to require that the Discharger regularly monitor the aggregate wash water ponds to determine whether there is the potential for groundwater degradation. If the results are verified, the Discharger will be required to install groundwater monitoring wells, improve the quality of the discharge, provide groundwater protection, or other similar actions.

SITE SPECIFIC CONDITIONS

17. Domestic waste is collected in a portable toilet facility that is maintained by a contract waste company.

18. Diesel fuel used at the facility is stored in aboveground tanks that are permitted under Lake County ordinance.

19. The RWD indicates that approximately 40 acres are currently being mined under a February 1989 Reclamation Plan titled *Surface Mining and Reclamation Plan Pond Excavation for Gravel Extraction North Fork Cache Creek and Highway 20, Lake County, California.*

20. The Flood Insurance Rate Map from the Federal Emergency Management Agency shows that the settling ponds are located outside the 100-year flood plain.

21. Surface water drainage is to the North Fork of Cache Creek.

22. The average 100-year annual precipitation for this area is approximately 53.82 inches, based on the total average rainfall reported from the California Department of Water Resources Clearlake No. 4 Southeast and Hopeland Stations.

23. Evapotranspiration rates for the area range from 1.53 to 13.22 inches per month, with the highest rate occurring in July.

24. The RWD states that no groundwater wells are located at the facility and that the approximate depth of groundwater can be based on the water level in Cache Creek.

25. The Soil Survey of Lake County, prepared by the United States Department of Agriculture Soil Conservation Service, indicates that the predominate soil underlying the facility is Talmage very gravelly sandy loam. This soil is characterized by excessively high permeability, with values ranging from 2 to 6-inches per hour.

26. The RWD states that gold mining has never been conducted at the facility. However, because mercury may occur naturally in deposits within the area, this Order contains monitoring requirements for mercury.

27. The facility is in the North Fork Cache Creek Hydrologic Area (No. 513.40), as depicted on the interagency hydrologic maps prepared by the Department of Water Resources in August 1986.

28. The RWD states that the Discharger does not have plans to install an asphalt concrete manufacturing plant or a concrete ready-mix unit.

BASIN PLAN, BENEFICIAL USES, AND REGULATORY CONSIDERATIONS

29. The *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins, Fourth Edition*, (hereafter Basin Plan) designates beneficial uses, establishes water quality objectives, contains implementation plans and policies for protecting waters of the basin, and incorporates by reference plans and policies adopted by the State Water Resources Control Board. Pursuant to Section 13263(a) of the California Water Code, waste discharge requirements must implement the Basin Plan.

30. The beneficial uses of the Cache Creek are municipal and domestic supply; agricultural supply; industrial service supply, industrial process supply, water contact recreation; noncontact water recreation; warm freshwater habitat; cold freshwater habitat; migration of warm and cold freshwater aquatic organisms; spawning, reproduction and/or early development of warm and cold freshwater aquatic organisms; and wildlife habitat.

31. The beneficial uses of underlying groundwater are municipal and domestic water supply, agricultural supply, and industrial service and process supply.

32. State Water Resources Control Board Resolution No. 68-16 (the Antidegradation Policy) does not allow degradation of groundwater quality unless it has been demonstrated that:

    a. The degradation is consistent with the maximum benefit to the people of the State;

    b. The degradation will not unreasonably affect present and anticipated future beneficial uses;

    c. The degradation does not cause exceedance of one or more water quality objectives; and

    d. The discharger employs best practicable treatment or control of the discharge to minimize degradation.

33. The Regional Board has considered antidegradation pursuant to State Board Resolution No. 68-16 and finds that that the Discharger has not provided the required demonstration to be allowed to cause groundwater degradation. Therefore, none is authorized by this Order.

34. The Chemical Constituents objective in the Basin Plan prohibits the concentration of chemicals that could impair beneficial uses or exceed California drinking water Maximum Contaminant Levels (MCLs) for waters designated as municipal and domestic supply. Groundwater beneath the facility is designated as a municipal and drinking water supply.

35. Based on the limited effluent monitoring data provided by the Discharger, the land disposal of aggregate wash water as proposed should not degrade groundwater quality, and therefore groundwater monitoring wells are not required at this time. However, the Discharger is required to continue monitoring the aggregate plant effluent, and if concentrations exceed water quality objectives, then staff will reevaluate the need for groundwater monitoring. If effluent monitoring shows that the discharge has the potential to cause groundwater degradation, then the Discharger will be required to monitor groundwater quality, cease the discharge, change the method of disposal, and/or take other actions as necessary to comply with Resolution No. 68-16.

36. The action to update WDRs for this existing facility is exempt from the provisions of the California Environmental Quality Act (CEQA), in accordance Title 14, California Code of Regulations (CCR), Section 15301.

37. Federal regulations for storm water discharges were promulgated by the U.S. Environmental Protection Agency on 16 November 1990 (40 CFR Parts 122, 123, and 124). The State Board adopted Order No. 97-03-DWQ (General Permit No. CAS000001) specifying waste discharge requirements for discharges of storm water associated with industrial activities, and requiring submittal of a Notice of Intent (NOI) by all affected industrial dischargers. On 29 August 2005, the Discharger submitted a NOI to obtain coverage under General Permit No. CAS000001.

38. This discharge is exempt from the requirements of *Consolidated Regulations for Treatment, Storage, Processing, or Disposal of Solid Waste,* as set forth in Title 27, CCR, Division 2, Subdivision 1, Section 2005, et seq., (hereafter Title 27). The exemption pursuant to Section 20090(b), is based on the following:
    a. The Regional Board is issuing waste discharge requirements,
    b. The discharge complies with the Basin Plan, and
    c. The wastewater does not need to be managed according to Title 22 CCR, Division 4.5, and Chapter 11, as a hazardous waste.

39. Section 13267(b) of California Water Code provides that: "*In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge*

waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge, waste outside of its region that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports."

40. The technical reports required by this Order and the attached "Monitoring and Reporting Program No. R5-2005-0174" are necessary to assure compliance with these waste discharge requirements. The Discharger operates the facility that discharges waste subject to this Order.

41. Pursuant to California Water Code Section 13267(g), discharge is a privilege, not a right, and adoption of this Order does not create a vested right to continue the discharge.

PUBLIC NOTICE

42. All the above and supplemental information and details in the attached Information Sheet, which is incorporated by reference herein, were considered in establishing the following conditions of discharge.

43. The Discharger and interested agencies and persons have been notified of the intent to prescribe waste discharge requirements for this discharge, and they have been provided with an opportunity for a public hearing and an opportunity to submit their written views and recommendations.

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

IT IS HEREBY ORDERED that Order No. 87-106 is rescinded and that, pursuant to Sections 13263 and 13267 of the California Water Code, U.S. Bureau of Land Management, Clear Lake Lava, Inc, Bev and Bill Van Pelt and Hidden Valley Sand and Gravel, their agents, successors, and assigns, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted there under, shall comply with the following:

Note: Other prohibitions, conditions, definitions, and methods of determining compliance are contained in the attached "Standard Provisions and Reporting Requirements for Waste Discharge Requirements" dated 1 March 1991.

A. Discharge Prohibitions:

1. The discharge of wastes to surface waters or surface water drainage courses is prohibited.

2. The discharge of domestic waste, asphaltic concrete or concrete waste, asphaltic concrete or concrete wash water to any settling ponds is prohibited.

3. Discharge of waste classified as 'hazardous,' as defined in Sections 2521(a) of Title 23, CCR, Division 3, Chapter 15, Section 2510, et seq., (hereafter Chapter 15), or 'designated', as defined in Section 13173 of the California Water Code, is prohibited.

4. Use of chemical gold recovery techniques (including amalgamation, cyanide leaching, or any other chemical method) is prohibited.

5. The operation of an asphaltic concrete plant shall not begin without written approval from the Executive Officer. At least **180 days** prior to placement of the plant, the Discharger shall submit the information described in Provision E. 2.f.

6. The addition of chemicals to the gravel processing operation is prohibited.

7. The operation of a concrete batch plant is prohibited until the Discharger has obtained coverage for such discharge under a separate Regional Board adopted Order.

B. Discharge Specifications:

1. The average monthly discharge of aggregate wash water shall not exceed 192,000 gpd.

2. Neither the treatment nor the discharge shall cause a condition of pollution or nuisance as defined by the CWC, Section 13050.

3. The discharge shall remain within the boundaries of the site outside the 100 year flood plain.

4. The Discharger shall operate all systems and equipment to optimize the quality of the discharge.

5. The ponds shall be managed to prevent breeding of mosquitoes. In particular:

   a. An erosion control program should assure that small coves and irregularities are not created around the perimeter of the water surface.

   b. Weeds shall be minimized through control of water depth, harvesting, or herbicides.

   c. Dead algae, vegetation, and debris shall not accumulate on the water surface.

6. All stockpiled sediments, wastes and products shall be managed to prevent erosion of sediment to surface water or surface water drainage courses.

7. Objectionable odors originating at this facility shall not be perceivable beyond the limits of the wastewater treatment and disposal areas.

8. Newly constructed or rehabilitated leeves or berms that hold back water shall be designed and constructed under the direct supervision of a California Registered Civil Engineer or Certified Engineering Geologist.

9. The freeboard in each wastewater pond shall never be less than two feet as measured vertically from the water surface to the lowest point of overflow along the pond berms.

10. The wash water ponds shall have sufficient capacity to accommodate allowable wastewater flow and design seasonal precipitation and ancillary inflow and infiltration during the wet season. Design seasonal precipitation shall be based on total annual precipitation using a return period of 100 years, distributed monthly in accordance with historical rainfall patterns.

11. Before **1 October** of each year, available pond storage capacity shall at least equal the volume necessary to comply with Discharge Specifications Nos. 9 and 10.

12. Storm water discharges at the site shall comply with the regulations contained in the State Water Resources Control Board (SWRCB) Water Quality Order No. 97-03-DWQ National Pollutant Discharge Elimination System (NPDES), General Permit No. CAS000001, Waste Discharge Requirements (WDRs) for Discharges to Storm Water Associated with Industrial Activities (excluding construction activities).

C. Effluent Limitations:

Discharge of process water to the wash water ponds in excess of the following limit is prohibited:

Constituent or Parameter	Limit
pH	6.5-8.4 Standard Units

D. Groundwater Limitations:

The discharge shall not cause underlying groundwater to contain waste constituents in concentrations greater than background water quality (i.e. groundwater unaffected by any waste source).

E. Provisions:

1. All technical reports required herein that involve planning, investigation, evaluation, or design, or other work requiring interpretation and proper application of engineering or

geologic sciences, shall be prepared by or under the direction of persons registered to practice in California pursuant to California Business and Professions Code sections 6735, 7835, and 7835.1. To demonstrate compliance with sections 415 and 3065 of Title 16, CCR, all technical reports must contain a statement of the qualifications of the responsible registered professional(s). As required by these laws, completed technical reports must bear the signature(s) and seal(s) of the registered professional(s) in a manner such that all work can be clearly attributed to the professional responsible for the work.

2. The following reports shall be submitted pursuant to Section 13267 of the California Water Code and shall be prepared as described in Provision E.1.

   a. By **1 February 2006**, the Discharger shall submit a copy of its most recent Site Reclamation/Restoration Plan. As the reclamation plans are updated or revised, the Discharger shall immediately forward such plans to this office.

   b. By **1 February 2006**, the Discharger shall submit a report and map defining all sampling locations and freeboard measuring points required by Monitoring and Reporting Program No. R5-2005-0174.

   c. By **1 February 2006**, the Discharger shall submit a Flow Measurement Verification Report. If the Discharger elects to report flows based on pump run times, then the report shall completely document the calibration of effluent and recycling system pumps, correlate actual flows to pump run time estimates generated from the manufacturer's pump curves, and provide a calculation correction (as appropriate) to be applied to convert from pump run time to gallons for each system. Calibration test data, manufacturer's pump curves, and calculations shall be included in the report. Alternatively, the report may document the installation of flow meter(s).

   d. By **1 May 2006**, the Discharger shall submit an Operations and Maintenance Plan, including (a) notification procedures and actions to be taken when the wastewater in the ponds fail to meet specified requirements for freeboard or pH, or creates a condition of pollution or nuisance, (b) weed abatement measures and vector control practices, and (c) a berm inspection and maintenance program. This plan shall also describe the procedures that will be implemented during the event of an unauthorized discharge to surface water or surface water drainage courses.

   e. If, as a result of the monitoring conducted by MRP No. R5-2005-0174, mercury is detected at concentrations equal to or greater than 50 nanograms per liter (ng/L) in any settling pond water, then within **90 days** the Discharger shall submit a workplan to characterize mercury in the water and sediment within the designated areas. Within **120 days** of approval by the Executive Officer of the workplan, the Discharger shall submit a report describing the results. If such report demonstrates the presence of mercury at concentrations that may cause bioaccumulation as a result

of the final reclamation of the site, then within 120 days, the Discharger shall submit a report evaluating alternatives to reduce mercury to acceptable levels.

f. At least **180 days** prior to operation of an asphalt plant, the Discharger shall a workplan showing the facility modifications necessary to contain and treat/dispose/recycle all wastewater in a manner such that groundwater or surface water is not adversely impacted. The workplan shall clearly demonstrate how the facility modifications will meet compliance with all Discharge Prohibitions, Specifications, and Limitations of this Order.

3. The Discharger shall comply with the Monitoring and Reporting Program No. R5-2005-0174, which is a part of this Order, and any revisions thereto as ordered by the Executive Officer.

4. The Discharger shall comply with the "Standard Provisions and Reporting Requirements for Waste Discharge Requirements", dated 1 March 1991, which are attached hereto and by reference a part of this Order. This attachment and its individual paragraphs are commonly referenced as "Standard Provision(s)."

5. In the event of any change in control or ownership of the facility or land application areas, the Discharger must notify the succeeding owner or operator of the existence of this Order by letter, a copy of which shall be immediately forwarded to this office. To assume operation as Discharger under this Order, the succeeding owner or operator must apply in writing to the Executive Officer requesting transfer of the Order. The request must contain the requesting entity's full legal name, the state of incorporation if a corporation, the name and address and telephone number of the persons responsible for contact with the Regional Board, and a statement. The statement shall comply with the signatory paragraph of Standard Provision B.3 and state that the new owner or operator assumes full responsibility for compliance with this Order. Failure to submit the request shall be considered a discharge without requirements, a violation of the California Water Code. Transfer shall be approved or disapproved by the Executive Officer.

6. The Discharger shall report promptly to the Regional Board any material change or proposed change in character, location, or volume of the discharge.

7. The Discharger shall comply with all conditions of this Order, including timely submittal of technical and monitoring reports as directed by the Executive Officer. Violations may result in enforcement action, including Regional Board or court orders requiring corrective action or imposing civil monetary liability, or in revision or rescission of this Order.

8. The Discharger shall submit to the Regional Board on or before each compliance report due date the specified document, or if appropriate, a written report detailing compliance

or noncompliance with the specific schedule date and task. If noncompliance is reported, then the Discharger shall state the reasons for noncompliance and shall provide a schedule of work to come into compliance.

9. The Discharger shall report promptly to the Regional Board any material change or proposed change in the character, location, or volume of the discharge.

10. A copy of this Order shall be kept at the discharge facility for reference by operating personnel. Key operating personnel shall be familiar with its contents.

11. The Regional Board will review this Order periodically and may revise requirements when necessary.

I, THOMAS R. PINKOS, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on 29 November 2005.

_____
THOMAS R. PINKOS, Executive Officer

GJC:29-Nov-05

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

MONITORING AND REPORTING PROGRAM NO. R5-2005-0174

FOR
CLEAR LAKE LAVA, INC., BEV AND BILL VAN PELT
AND UNITED STATES BUREAU OF LAND MANAGEMENT
HIDDEN VALLEY SAND AND GRAVEL
CACHE CREEK PLANT
LAKE COUNTY

This monitoring and reporting program (MRP) incorporates requirements for monitoring the aggregate wash water settling ponds. This MRP is issued pursuant to Water Code 13267. The Discharger shall not implement any changes to this MRP unless and until a revised MRP is issued by the Executive Officer.

All samples shall be representative of the volume and nature of the discharge or matrix of material sampled. The time, date, and location of each grab sample shall be recorded on the sample chain of custody form. Field test instruments (such as those used to measure pH and dissolved oxygen) may be used provided that:

1. The operator is trained in the proper use and maintenance of the instruments;
2. The instruments are field calibrated prior to each monitoring event;
3. The instruments are serviced and/or calibrated by the manufacturer at the recommended frequency; and
4. Field calibration reports are submitted as described in the "Reporting" section of this MRP.

POND MONITORING

The three aggregate wash water settling ponds shall be inspected weekly and monitored as follows:

Constituent/Parameter	Units	Type of Sample	Sampling Frequency	Reporting Frequency
Freeboard[1]	0.1 Feet	Measurement	Weekly	Monthly
Berm Condition[2]	N/A	Observation	Weekly	Monthly

[1]Freeboard shall be measured from the lowest point of overflow.
[2]Evidence of leakage or overflow shall be noted.

EFFLUENT MONITORING

Samples shall be collected from an established sampling location in an area that will provide a sample representative of the water in Pond No. 1. At a minimum, the Discharger shall monitor the wastewater as follows:

Constituent/Parameter	Units	Type of Sample	Sampling Frequency	Reporting Frequency
Inflow	gpd	Flow Meter or Pump Run Times	Daily	Monthly
pH	pH units	Grab	Monthly	Monthly
Total Dissolved Solids	mg/L	Grab	Monthly	Monthly

Constituent/Parameter	Units	Type of Sample	Sampling Frequency	Reporting Frequency
Dissolved Metals[1,2]	µg/L	Grab	Semi-Annual	Semi-Annual[4]
Total Recoverable Mercury (non-filtered)[3]	ng/L	Grab	Semi-Annual	Semi-Annual[4]

[1]At a minimum, the following metals shall be included: aluminum, antimony, arsenic, total chromium, hexavalent chromium, copper, iron, lead, manganese, molybdenum, nickel, selenium, silver, thallium, vanadium, and zinc. Analytical methods shall be selected to provide detection limits below the limiting Water Quality Goal for each constituent.
[2]Samples shall be filtered through a 0.45 micron filter prior to preservation.
[3]The total recoverable mercury detection limit shall be no more than 5 ng/L.
[4]Include the results in the January and July monthly monitoring reports.

REPORTING

In reporting monitoring data, the Discharger shall arrange the data in tabular form so that the date, sample type (e.g., effluent, pond, etc.), and reported analytical result for each sample are readily discernible. The data shall be summarized in such a manner to clearly illustrate compliance with waste discharge requirements and spatial or temporal trends, as applicable. The results of any monitoring done more frequently than required at the locations specified in the Monitoring and Reporting Program shall be reported in the next scheduled monitoring report.

A. Monthly Monitoring Reports

Monthly Monitoring Reports shall be submitted to the Regional Board on the **1st day of the second month following sampling** (i.e. the January Report is due by 1 March). At a minimum, the Monthly Monitoring Report shall include:

1. Results of the pond monitoring and effluent monitoring.
2. A map depicting the locations of all active wash water ponds, storm water ponds, and the locations where freeboard is measured.
3. A comparison of monitoring data to the discharge specifications and an explanation of any violation of those requirements. Data shall be presented in tabular format.
4. If requested by staff, copies of laboratory analytical report(s).
5. A calibration log verifying calibration of all monitoring instruments and devices used to comply with the prescribed monitoring program.
6. The January and July monthly reports shall include the semi-annual monitoring results for aggregate washwater pond.

B. Annual Monitoring Report

The Annual Report shall be prepared as the December monthly monitoring report. The Annual Report will include all monitoring data required in the monthly schedule. The Annual Report shall be submitted to the Regional Board by **1 February** each year. In addition to the data normally presented in a monthly report, the Annual Report shall include the following:

1. A discussion of compliance and the corrective action taken, as well as any planned or proposed actions needed to bring the discharge into full compliance with the waste discharge requirements.

2. If the Discharger elects to use pump run times instead of a flow meter to measure daily wash water inflows, a calibration log verifying actual pump flows.

3. A forecast of flows for the next calendar year.

4. If a pond(s) was dried out and excavated, information as to where the dried material was stockpiled and/or disposed of.

A transmittal letter shall accompany each self-monitoring report. The letter shall discuss any violations during the reporting period and all actions taken or planned for correcting violations, such as operation or facility modifications. If the Discharger has previously submitted a report describing corrective actions and/or a time schedule for implementing the corrective actions, reference to the previous correspondence will be satisfactory. The transmittal letter shall contain a statement by the Discharger or the Discharger's authorized agent, under penalty of perjury, that to the best of the signer's knowledge the report is true, accurate, and complete.

The Discharger shall implement the above monitoring program as of the date of this Order.

THOMAS R. PINKOS, Executive Director

29 November 2005
Date

GJC:29-Nov-05

INFORMATION SHEET

ORDER NO. R5-2005-0174
CLEAR LAKE LAVA, INC., BEV AND BILL VAN PELT
AND UNITED STATES BUREAU OF LAND MANAGEMENT
HIDDEN VALLEY SAND AND GRAVEL
CACHE CREEK PLANT
LAKE COUNTY

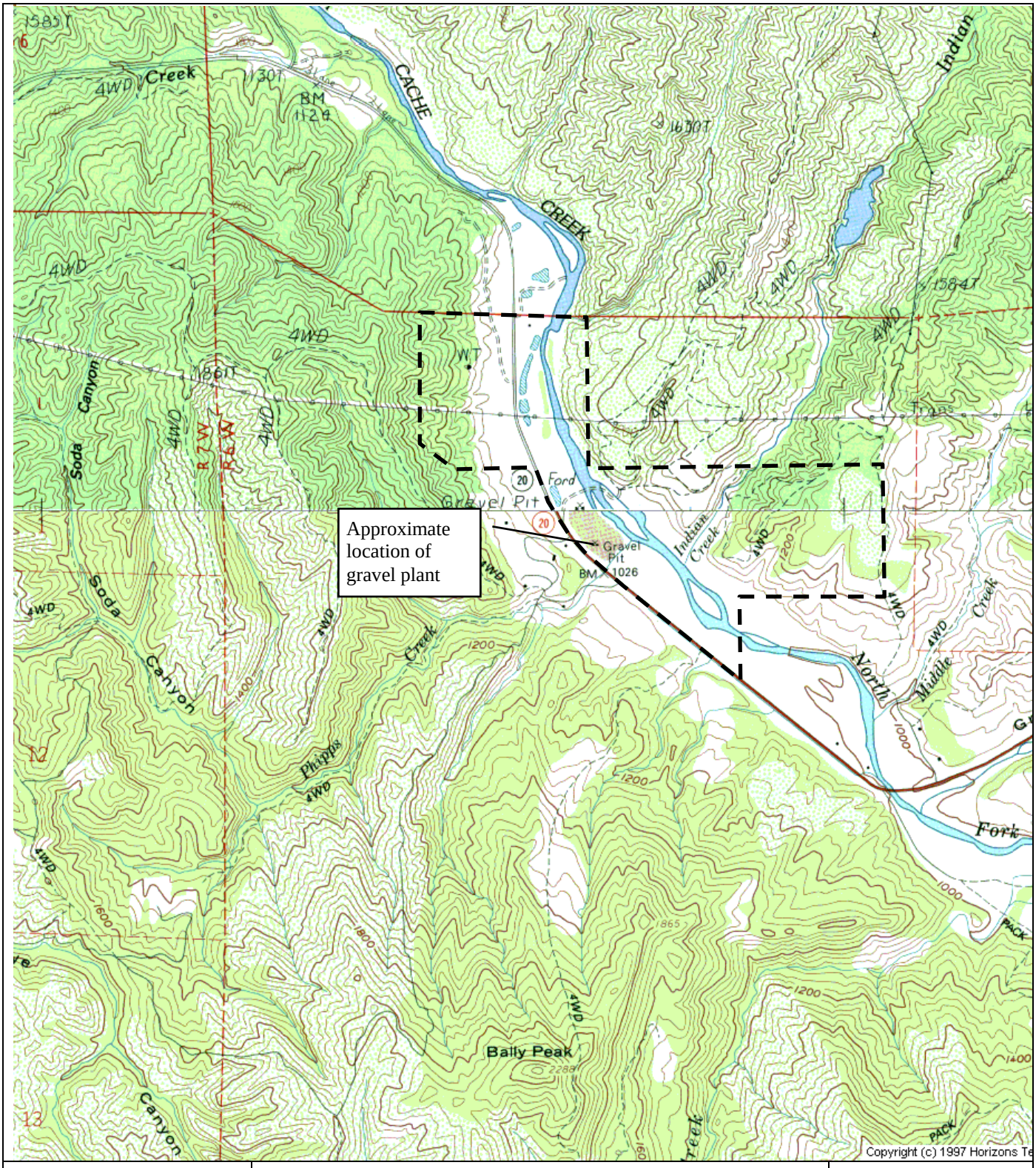
The U.S. Bureau of Land Management owns the land on which Clear Lake Lava, Inc., and Bev and Bill Van Pelt operate a surface mining and aggregate processing plant. The facility is on two parcels totaling approximately 273 acres along the North Fork of Cache Creek, approximately two miles north of the Cache Creek Bridge on Highway 20 in Lake County. The Discharger mines between 35,000 and 40,000 tons of rock per year with approximately 10,000 tons used as aggregate road base. The materials are excavated from the mining areas and transported to the aggregate processing area where they are screened, washed, classified and sorted, and stockpiled.

Up to 192,000 gallons per day of wash water used in the operations is pumped from the North Fork of Cache Creek. The wash water mixes with the aggregate and flows through a "sand screw" where the sands and silts are separated and the sand is stockpiled. The silt and wash water then gravity flow through an 8-inch aboveground pipeline into a series of three settling ponds, which are interconnected. These ponds have a total capacity of approximately 55,343 gallons at two feet of freeboard. These ponds are periodically allowed to dry and excavated to a depth of approximately eight feet. The excavated material is used for reclamation purposes.

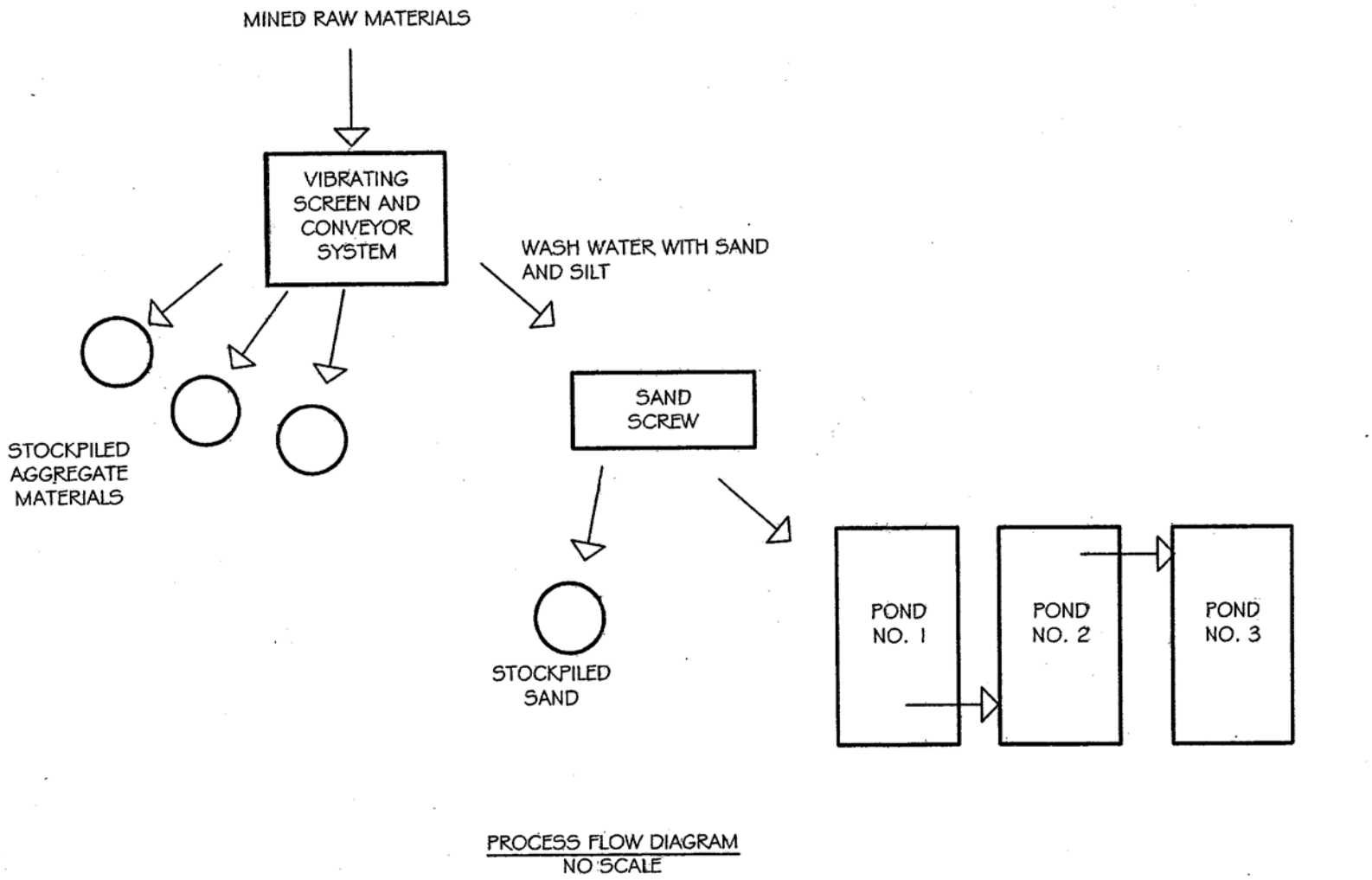
Historical gold mining has not occurred occurred in the area. However because naturally occurring mercury is known to the area, this Order requires the Discharger to monitor mercury concentrations in its discharge. If mercury is detected at concentrations equal to or greater than 50 nanograms per liter (ng/L) in any settling pond water, then the Discharger shall submit a workplan to further characterize mercury in the water and sediment within the designated disposal areas and the dredging area. The 50 ng/L limit is the California Toxics Rule criterion to protect human health from consumption of water and aquatic organisms from inland surface waters.

Surface water drainage is to the North Fork of Cache Creek.

GJC:3-Jan-06



Drawing Reference: U.S.G.S TOPOGRAPHIC MAP 7.5 MINUTE QUAD	**SITE LOCATION MAP** Hidden Valley Sand & Gravel LAKE COUNTY	N W E S approx. scale 1 in. = 2,000 ft.



AGGREGATE PROCESSING PLANT FLOW DIAGRAM

Hidden Valley Sand and Gravel
Lake County