

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION**

ORDER NO. 01-018

WASTE DISCHARGE REQUIREMENTS
FOR
SPECIALTY MINERALS INC., OWNER/OPERATOR
GROUP "C" MINING WASTE MANAGEMENT FACILITY

Lucerne Valley - San Bernardino County

The California Regional Water Quality Control Board, Colorado River Basin Region finds that:

1. Specialty Minerals Inc., 6565 Meridian Road, P.O. Box 558, Lucerne Valley, CA 92356 (hereinafter referred to as the discharger), is the owner and operator of a Group "C" Mining Waste Management Facility (hereinafter referred to as the Mining Waste Landfill).
2. Definitions of terms used in this Board Order:
 - a. Waste Management Facility (WMF) - The entire parcel of property at which waste discharge operations are conducted.
 - b. Waste Management Unit (WMU) - An area of land, or a portion of the waste management facility, at which waste is discharged. The term includes containment features and ancillary features for precipitation and drainage control and monitoring.
 - c. Landfill - A waste management unit at which waste is discharged in or on land for disposal. It does not include surface impoundments, waste piles, or land treatments or soil amendments.
 - d. Group A - Mining waste of Group A are wastes that must be managed as hazardous waste pursuant to Chapter 11 of Division 4.5, of Title 22, provided the Regional Water Quality Control Board finds that such mining wastes pose a significant threat to water quality.
 - e. Group B - Mining waste of Group B are either:
 - i. Mining waste that consist of or contain hazardous wastes, that qualify for a variance under Chapter 11 of Division 4.5 of Title 22, provided that the Regional Water Quality Control Board finds that such mining wastes pose a low risk to water quality; or
 - ii. Mining wastes that consist of or contain non-hazardous soluble pollutants of concentrations which exceed water quality objectives for, or could cause degradation of, waters of the state.
 - f. Group C - Mining waste from Group C are wastes from which discharges would be in compliance with the applicable water quality control plan, including water quality objectives other than turbidity.

3. The Mining Waste Landfill is located at 6565 Meridian Road, in Lucerne Valley, California. It is located in the NW¼, NE¼, of Section 7, T3N, R1E, SBB& M, as shown on Attachments A and B.
4. The discharger submitted a Report of Waste Discharge (ROWD) on November 20, 2000, and an amendment to Form 200 on January 29, 2001, to update the existing Waste Discharge Requirements (hereinafter referred to as WDRs). The amended ROWD was approved on January 30, 2001.
5. Total permitted acreage of the Mining Waste Landfill is 17 acres.
6. Group C mining wastes have been discharged at the existing Mining Waste Landfill since 1969. The WMF became subject to WDRs under Board Order No. 90-075 on November 20, 1990.
7. On January 20, 1993, in Board Order No. 93-018, the Regional Board revised Board Order No. 90-075 by updating the Waste Management Facility name and ownership.
8. The Landfill is currently regulated by Waste Discharge Requirements, under Board Orders No. 90-075. These WDRs are being updated to incorporate the combined SWRCB/CIWMB Regulations, Division 2, Title 27 (hereinafter referred to as Title 27).
9. The Landfill is not lined and does not have a leachate collection removal system.
10. The discharger proposes to receive a total of 15,000 tons per year of Limestone and 15 tons of the following wastes at the Mining Waste Landfill:
 - a. Wood
 - b. Paper
 - c. Cardboard
11. The Mining Waste Landfill has a total capacity of 949,500 cubic yards with the remaining capacity of 467,300 cubic yards.
12. The discharger proposes to close the Mining Waste Landfill in the year 2048.
13. The WMF is located in the Lucerne Valley, a 150-square-mile alluvial basin within the Mojave Desert geomorphic province. The Mojave Desert is bounded on the Southwest by the San Andreas Fault and Transverse Ranges and on the Northeast by the Garlock Fault. The San Bernardino Mountains are at the Southern part of the site.
14. Alluvial fans extend into the basin from the surrounding mountains. Average thickness of the alluvial fans is about 600 feet.
15. The WMF is underlain by artificial fill overlying alluvium and alluvial fan deposits, which in turn rest on dolomite bedrock. The alluvial fan consists of silty sand and gravel. Those deposits extend to a depth of about 278 feet beneath the site. Bedrock is encountered at 295 feet beneath land surface.

16. The discharger reports that no active or potentially active faults are shown on or in the immediate vicinity of the site. The closest fault, Frontal Fault Zone, is ¼ mile from the WMF.
 17. Land within 1,000 feet of the site is zoned for heavy industrial, desert agricultural and residential uses by the County of San Bernardino.
 18. Crystal Creek, the nearest surface water, is 1½ mile east of the WMF as shown in Attachment "B".
 19. The beneficial uses of surface waters of Crystal Creek are:
 - a. Municipal Supply (MUN)
 - b. Agricultural Supply (AGR)
 - c. Ground Water Recharge (GWR)
 - d. Water Contact Recreation (REC I) ^{1 2}
 - e. Non-contact Water recreation (REC II)
 - f. Warm Water Habitat (WARM)
 - g. Wildlife Habitat (WILD)
- ¹ Unauthorized use
² The only Rec 1 usage that is known to occur is from infrequent fishing
20. The WMF is located in the Lucerne Hydrologic Unit.
 21. Mean annual precipitation for the general vicinity of the site ranges from five (5) inches in the central basin of Lucerne Valley, to over 20 inches in the San Bernardino Mountains. Evaporation rate is approximately 64 inches. Ground water recharge in the Lucerne Valley Hydrologic Unit results from deep percolation of runoff from precipitation in the San Bernardino Mountains.
 22. The 100-year, 24-hour storm event is estimated to drop 3.5 inches of rain. The WMF is not within the 100-year flood plain.
 23. The discharger reports that there are four (4) groundwater wells in the vicinity of the WMF. The water from these wells is used primarily for dust suppressant. The nearest well to the Mining Waste Landfill is 2,500 feet away. The location of these wells is shown on Attachment "C".
 24. There are no groundwater monitoring wells at the Mining Waste Landfill.
 25. The discharger reports that the approximate depth to groundwater ranges between 900 to 1145 feet below ground surface in the vicinity of the WMF.
 26. The Water Quality Control Plan for the Colorado River Basin Region of California (Basin Plan) was adopted on November 17, 1993, and designates the beneficial uses of ground and surface waters in this Region.
 27. The beneficial uses of groundwaters in the Lucerne Hydrologic Unit are:
 - a. Municipal supply (MUN)
 - b. Industrial supply (IND)

c. Agricultural (AGR)

28. Federal regulations for storm water discharges were promulgated by the U.S. Environmental Protection Agency on November 16, 1990 (40 CFR Parts 122, 123, and 124). The regulations require specific categories of facilities which discharge storm water associated with industrial activity (storm water) to obtain NPDES permits and to implement Best Conventional Pollutant Technology (BCPT) to reduce or eliminate industrial storm water pollution.
29. In accordance with Section 15301, Chapter 3, Title 14 of the California Code of Regulations, the issuance of these waste discharge requirements which govern the operation of an existing facility involving negligible or no expansion of use beyond that previously existing, is exempt from the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code, Sections 21000 et seq.).
30. The Regional Board finds that the 17-acre Mining Waste Landfill is in compliance with the provisions of Title 27.
31. The Board has notified the discharger and all known interested agencies and persons of its intent to update waste discharge requirements for this discharge, and has provided them with an opportunity for a public meeting and an opportunity to submit comments.
32. The Board, in a public meeting, heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED, that Board Order No. 90-075 is rescinded, and in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted thereunder, the discharger shall comply with the following:

A. Specifications

1. The treatment or disposal of wastes at this facility shall not cause pollution or nuisance as defined in Section 13050 of Division 7 of the California Water Code.
2. Waste materials shall be confined to the Mining Waste Landfill as defined in Finding No. 2(c) and shown in the attached site maps.
3. Waste materials shall not be discharged on any ground surface that is less than five (5) feet above the highest anticipated groundwater level.
4. The discharge shall not cause degradation of any water supply.
5. Surface drainage from tributary areas, and internal site drainage from surface or subsurface sources, shall not contact or percolate through the wastes discharged at this site.
6. The exterior surfaces of the disposal area, including the intermediate and final landfill covers, shall be graded and maintained to promote lateral runoff of precipitation and to prevent ponding.

7. One (1) year prior to the anticipated closure of the facility or any unit (portion) thereof, the discharger shall submit to the Regional Board, for review and approval by the Regional Board's Executive Officer, a final closure and post-closure maintenance plan in accordance with Title 27.
8. The discharger shall remove and relocate any wastes that are discharged at this site in violation of these requirements.
9. Water used for site maintenance shall be limited to amounts necessary for dust control.
10. The Mining Waste Landfill shall be protected from any washout or erosion of wastes or covering material, and from any inundation which could occur as a result of floods having a predicted frequency of once in 100 years.
11. The discharger shall neither cause nor contribute to the contamination or pollution of groundwater by the release of waste constituents in either liquid or gaseous phase.

B. Prohibitions

1. The discharge or deposit of hazardous waste (as defined in Title 27) at this site is prohibited.
2. The discharge or deposit of designated waste (as defined in Title 27) at this site is prohibited unless approved by the Regional Board's Executive Officer.
3. The discharge or deposit of Group A and B mining waste is prohibited.
4. The co-disposal of incompatible waste is prohibited.
5. The discharge of waste to land outside the seventeen-acre Mining Waste Landfill boundary is prohibited.
6. The direct discharge of any waste to any surface waters or surface drainage courses is prohibited.
7. The discharge of liquid or semi-solid waste (i.e. waste containing less than 50 percent solids) to the Landfill is prohibited unless approved by the Regional Board's Executive Officer.

C. Provisions

1. The discharger shall comply with the "Monitoring and Reporting Program" No. 01-018, and future revisions thereto, as specified by the Regional Board's Executive Officer.
2. Prior to any change in ownership or management of this operation, the discharger shall transmit a copy of this Board Order to the succeeding owner/operator, and forward a copy of the transmittal letter to the Regional Board.
3. The discharger shall ensure that all site-operating personnel are familiar with the content of this Board Order, and shall maintain a copy of this Board Order at the site.

4. This Board Order does not authorize violation of any federal, state, or local laws or regulations.
5. The discharger shall allow the Regional Board, or an authorized representative, upon presentation or credentials and other documents as may be required by law, to:
 - a. Enter upon the premises regulated by this Board Order, or the place where records must be kept under the conditions of the Board Order;
 - b. Have access to and copy, at reasonable times, any records that shall be kept under the conditions of this Board Order;
 - c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Board Order; and
 - d. Sample or monitor at reasonable times, for the purpose of assuring compliance with this Board Order or as otherwise authorized by the California Water Code, and substances or parameters at this location.
6. This Board Order does not convey any property rights of any sort or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations.
7. All regulated disposal systems shall be readily accessible for sampling and inspection.
8. The discharger is the responsible party for the waste discharge requirements and the monitoring and reporting program for the facility. The discharger shall comply with all conditions of these waste discharge requirements. Violations may result in enforcement actions, including Regional Board Orders or court orders, requiring corrective action or imposing civil monetary liability, or in modification or revocation of these waste discharge requirements by the Regional Board.
9. The discharger shall furnish, under penalty of perjury, technical monitoring program reports, and such reports shall be submitted in accordance with the specifications prepared by the Regional Board's Executive Officer. Such specifications are subject to periodic revisions as may be warranted.
10. All containment structures and erosion and drainage control systems shall be designed and constructed under direct supervision of a California Registered Civil Engineer or Certified Engineering Geologist, and shall be certified by the individual as meeting the prescriptive standards and performance goals of Title 27.
11. After a significant earthquake event the discharger shall:
 - a. Immediately notify the Regional Board by phone; and
 - b. Within seven (7) days, submit to the Regional Board a detailed post-earthquake report describing any physical damages to the containment features, groundwater monitoring and/or leachate control facilities and corrective action plan to be implemented at the Landfill.

12. The discharger shall immediately notify the Regional Board of any flooding, slope failure or other change in site conditions which could impair the integrity of waste containment facilities or of precipitation and drainage control structures. The discharger shall submit to the Regional Board, within 14 days, a detailed report describing any physical damage to the cover, surface water diversion systems or groundwater monitoring systems.
13. The discharger shall maintain legible records on the volume and type of each waste discharged at the site. These records shall be available for review by representatives of the Regional Board at any time during normal business hours. At the beginning of the post-closure maintenance period, copies of these records shall be sent to the Regional Board.
14. The discharger shall maintain visible monuments identifying the boundary limits of the entire waste management facility.
15. Within 180 days of the adoption of this Board Order, the discharger shall submit to the Regional Board, in accordance with Section 20380(b) of Title 27, assurance of financial responsibility acceptable to the Regional Board's Executive Officer for initiating and completing corrective action for all known or reasonably foreseeable releases from the Landfill.
16. The discharger shall submit a Notice of Intent (NOI) to the State Water Resources Control Board to be covered under the Statewide General NPDES Permit for Storm Water Discharges Associated with Industrial Activities, Order No. 97-03-DWQ, NPDES No. CAS 000001.
17. This Board Order is subject to Regional Board review and updating, as necessary, to comply with changing State or Federal laws, regulations, policies, or changes in the discharge characteristics.

I, Philip A. Gruenberg, 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, Colorado River Basin Region, on May 9, 2001.

Original signed by
Executive Officer