

STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 94-13

APPROVAL OF \$450,000 FROM THE STATE WATER POLLUTION  
CLEANUP AND ABATEMENT ACCOUNT TO CONTINUE  
CLEANUP AND REMEDIATION ACTIVITIES AT THE PENN MINE

WHEREAS:

1. On December 12, 1991 the State Water Board allocated \$500,000 from the State Water Pollution Cleanup and Abatement Account (Account) for additional short-term remediation work at the Penn Mine; and
2. The remediation work which was partially funded by the East Bay Municipal Utility District (EBMUD) includes treatment, diversion and monitoring acid mine drainage at the Penn Mine; and
3. The U. S. District Court has ordered continuation of the remediation work which is required for compliance with an administrative order issued by the U. S. Environmental Protection Agency under Section 309 of the Clean Water Act; and
4. The Regional Water Quality Control Board, Central Valley Region (Regional Water Quality Control Board) has requested \$400,000 from the Account to continue remediation work through September 1995 at the Penn Mine; and
5. Funds from the Account to continue remediation at the Penn Mine will be matched by an appropriate share from EBMUD pursuant to an agreement to be negotiated; and
6. The Regional Water Quality Control Board has requested \$50,000 from the Account for continuation of the hydrogeological study at the Penn Mine that was previously funded in a Joint Funding Agreement (SWRCB 1-117-255-0) between the State Water Board and the U. S. Geological Survey (USGS); and
7. Funds from the Account to continue the hydrogeological study at the Penn Mine will be matched by \$50,000 from EBMUD and \$100,000 from USGS; and
8. The State Water Board has previously appropriated \$972,000 from the Account for remediation activities at the Penn Mine site.

THEREFORE BE IT RESOLVED THAT:

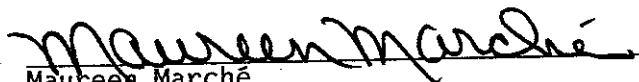
THE STATE WATER BOARD:

1. Allocates \$400,00 from the Account to continue short-term remediation work at the Penn Mine.
2. Expenditure of funds for short-term remediation will be matched by an appropriate share pursuant to an agreement to be negotiated with EBMUD.

3. Expenditure of funds for the short-term remediation shall be authorized by the Chief, Division of Clean Water Programs after he determines the funds which EBMUD will contribute are available.
4. Allocates \$50,000 from the Account to continue the hydrogeological study at the Penn Mine that was previously funded in a Joint Funding Agreement (SWRCB 1-117-255-0) between the State Water Board and the USGS.
5. All funds allocated by this resolution shall be subject to the procedures set forth in Chapter 4.4 of the State Water Resources Control Board Administrative Procedures Manual.

#### CERTIFICATION

The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on February 17, 1994.

  
Maureen Marché  
Administrative Assistant to the Board

MEMORANDUM

Control to CWP  
T 1119  
Date 12/14

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD • CENTRAL VALLEY REGION

3443 Routier Road, Suite A  
Sacramento, CA 95827-3098

Phone: (916) 255-3000  
CALNET: 8-494-3000

RECEIVED

TO: <sup>11/23</sup> Walter Pettit  
Executive Director  
SWRCB

NOV 24 1993

FROM: William H. Crooks  
Executive Officer

DATE: 22 November 1993

SIGNATURE: W.H. Crooks

SUBJECT: **REQUEST FOR CLEANUP AND ABATEMENT ACCOUNT FUNDS:  
PENN MINE (309 COMPLIANCE)**

The Regional Water Quality Control Board, Central Valley Region, requests up to \$400,000 over a 2-year period from the State Water Pollution Cleanup and Abatement Account for the continuation of cleanup and abatement activities at the Penn Mine (attached). These activities, which include treatment, diversion, and monitoring of acid mine drainage, are required by an order of the U.S. District Court, dated 8 September 1993, in the case of *Committee to Save the Mokelumne River v. East Bay Municipal Utility District and RWQCB, CVR*. Funds from the C&A Account will be matched by an appropriate share from EBMUD pursuant to an agreement to be negotiated.

The order of the District Court requires compliance with an administrative order issued by the U.S. Environmental Protection Agency under Section 309 of the Clean Water Act (309 Order). The 309 Order requires, in part, that unpolluted upgradient waters be diverted, that the onsite ILS (In Line System) lime treatment plant remove 98% of copper, cadmium, and zinc concentrations from the AMD influent, that sludges be properly disposed, and that treated, diverted, and receiving waters be monitored. EBMUD has made a preliminary estimate of the costs (\$265,000) for required activities to comply with the 309 Order for the 1993-94 wet weather season (attached).

Our request proposes to allocate up to \$200,000 per year for the next two years for wet weather activities. This amount and time period may need to be adjusted in the future depending on the course of the litigation and actions by USEPA.

We have marked this request as an "Amendment", rather than a "New Project", because it can be considered an extension of the work authorized by the State Board in its Resolution No. 91-117, which allocated \$500,000 for short-term remediation work at Penn Mine. Please note that we are also making a separate request for an additional \$50,000 for continuation of work at Penn Mine by the U.S. Geological Survey.

If you have any questions, please contact me at 255-3039, or your staff may contact either Tom Pinkos, 255-3116, or Greg Vaughn, 255-3142.

Attachments

cc: Jennifer Soloway, OCC, SWRCB  
Sara Drake, DOJ, Sacramento  
Regional Board Members

REQUEST FOR CLEANUP AND ABATEMENT FUNDS

APPLICANT AGENCY: Regional Water Quality Control Board, Central Valley Region

PROJECT TITLE: Penn Mine (309 Compliance)

NEW PROJECT

EMERGENCY

AMENDMENT

NON-EMERGENCY

SUMMARY DESCRIPTION OF PROJECT:

The U. S. District Court has ordered the Regional Board and the East Bay Municipal Utility District to comply with a USEPA Section 309 Clean Water Act order for the remedial facilities at Penn Mine. That 309 Order requires diversion, treatment, and monitoring of the acid mine drainage at the abandoned mine site. These activities are a continuation and extension of the cleanup and abatement actions begun by the Regional Board and EBMUD in 1978.

AMOUNT: \$400,000

PROJECT START DATE: September 1993

PROJECT END DATE: September 1995

CONTACT PERSON: Greg Vaughn

PHONE NUMBER: 255-3142

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FOR STATE BOARD USE

AUTHORIZED SIGNATURE: \_\_\_\_\_  
(Executive Director or designee)

APPROVAL DATE: \_\_\_\_\_

PROJECT NUMBER: \_\_\_\_\_  
(Assigned by Accounting)

# PRELIMINARY

ACTIVITIES AND ESTIMATED COST TO COMPLY WITH EPA 309 ORDER  
DURING THE UPCOMING WET WEATHER SEASON  
(DECEMBER 1, 1993 - JUNE 30, 1994)

<u>Activity</u>	<u>Cost</u>
Batch Treatment	
labor and materials to have system on standby ready for immediate mobilization, assumes that system will not be operated during upcoming wet weather season	\$5,000
ILS Treatment Plant Operation and Maintenance	
labor	\$75,000
materials and equipment	\$55,000
chemicals (lime and polymer, delivered)	\$12,000
power	\$4,000
analytical costs	\$15,000
ILS Effluent Dye Dilution Study (2 events)	
labor	\$10,000
materials and equipment	\$8,000
analytical costs	\$2,000
Mine Run Diversion Pumping	
labor	\$10,000
materials and equipment	\$5,000
analytical costs	\$6,000
Recirculation System	
install new pipeline	\$20,000
Camanche Reservoir Monitoring	
labor	\$10,000
materials and equipment (including boat)	\$3,000
analytical costs	\$25,000
<hr/> Total Cost	<hr/> \$265,000

# PRELIMINARY

## Assumptions:

1. Rainfall in water year 1993-1994 (July 1, 1993 - June 30, 1994) will be normal for the Penn Mine area.
2. Operation of diversion pumping, ILS treatment plant, and recirculation systems will be sufficient to maintain freeboard in Mine Run Dam Reservoir and eliminate the need for batch treatment; however, the system must be in a standby mode should the freeboard in MRDR decrease to less than 2 feet:
3. The ILS system will be operating for 60 days (6 hours of discharge per day, 5 days per week) in the upcoming wet weather season. Overtime will be less than 10 percent of total labor hours. Several improvements will be made to the ILS including automatic lime feed system, rental of operations trailer, and clarifier modifications to improve settling.
4. The diversion pumping upstream of Penn Mine will occur during 60 days in the upcoming wet weather season.
5. The costs shown do not include costs for project management or preparation of monthly reports to EPA.

MEMORANDUM

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD • CENTRAL VALLEY REGION

3443 Roubier Road, Suite A  
Sacramento, CA 95827-3098

Phone: (916) 255-3000  
CALNET: 8-494-3000

*Control to cap  
T 1118 Dec  
12/11*

TO: Walter Pettit *11/28*  
Executive Director  
SWRCB

FROM: William H. Crooks  
Executive Officer

DATE: 22 November 1993

SIGNATURE: *W.H. Crooks*

SUBJECT: **REQUEST FOR CLEANUP AND ABATEMENT ACCOUNT FUNDS,  
PENN MINE (U.S.G.S.)**

RECEIVED  
NOV 24 1993  
*1. DC 2. WHP*

The Regional Water Quality Control Board, Central Valley Region, requests \$50,000 from the State Water Pollution Cleanup and Abatement Account for the continuation of a hydrogeological investigation at Penn Mine in support of cleanup and abatement activities (attached). These activities, which include monitoring of ground water quality and elevations, numerical modelling of ground water flow and transport, and technical support on remediation activities, are a continuation of tasks approved previously in a Joint Funding Agreement (SWRCB No. 1-117-255-0) between the Board and USGS. Funds from the C&A Account will be matched by \$50,000 from EBMUD and \$100,000 from USGS. Although this request is not an "emergency", the dollar-for-dollar match from USGS could be lost if our funds are not committed as soon as possible.

The State Board previously authorized an allocation of \$150,000 from FFY 1990 Clean Water Act Title II account for this project (SWRCB Resolution No. 92-21).

USGS has informed us that they have an *additional* \$100,000 in available matching funds earmarked for Penn Mine (for a total of USGS matching funds of \$200,000) which could be obligated to other projects if a corresponding match (of another \$100,000) is not committed by either the State Board or EBMUD. Depending on the course of events, we may be requesting up to an additional \$100,000 in the future in order to secure the total USGS funding.

Please note that we are also making a separate request for an additional \$400,000 of Cleanup and Abatement Account funds for remedial work at Penn Mine to comply with orders of the U.S. District Court and the USEPA.

If you have any questions, please contact me at 255-3039, or your staff may contact either Tom Pinkos, 255-3116, or Greg Vaughn, 255-3142.

Attachment

cc: Jennifer Soloway, OCC, SWRCB  
Sara Drake, DOJ, Sacramento  
John Norton, DWQ, SWRCB  
Regional Board Members

## REQUEST FOR CLEANUP AND ABATEMENT FUNDS

APPLICANT AGENCY: Regional Water Quality Control Board, Central Valley Region

PROJECT TITLE: Penn Mine (U.S.G.S.)

NEW PROJECT X

EMERGENCY \_\_\_\_\_

AMENDMENT \_\_\_\_\_

NON-EMERGENCY X

### SUMMARY DESCRIPTION OF PROJECT:

The U. S. Geological Survey has been conducting a hydrogeologic study at Penn Mine under a Joint Funding Agreement with the Board. The study involves the evaluation of the fate and transport of major heavy metal trace elements in ground water below the mine site. The results of the study are expected to assist cleanup and abatement actions planned for the abandoned mine. These activities are a continuation of activities funded by SWRCB Resolution No. 92-21.

AMOUNT: \$50,000

PROJECT START DATE: October 1993

PROJECT END DATE: September 1995

CONTACT PERSON: Greg Vaughn

PHONE NUMBER: 255-3142

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### FOR STATE BOARD USE

AUTHORIZED SIGNATURE: \_\_\_\_\_  
(Executive Director or designee)

APPROVAL DATE: \_\_\_\_\_

PROJECT NUMBER: \_\_\_\_\_  
(Assigned by Accounting)