

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2007 – 0010**

AUTHORIZATION TO ALLOCATE \$1,605,000 FROM THE CLEANUP AND ABATEMENT ACCOUNT (CAA) TO THE LAHONTAN REGIONAL WATER QUALITY CONTROL BOARD (LAHONTAN REGIONAL WATER BOARD) FOR WORK AT LEVIATHAN MINE (MINE)

WHEREAS:

1. The Mine is an abandoned sulfur mine on property owned by the State of California;
2. Historic mining activities have caused pollution problems, primarily from acid mine drainage (AMD) generated at the site, causing adverse water quality impacts in the Mine watershed;
3. An Administrative Abatement Action issued by the United States Environmental Protection Agency requires the Lahontan Regional Water Board to prevent pond water containing AMD to overflow at the Mine;
4. Since 1987, the CAA has paid for various activities at the Mine to reduce or eliminate pollution;
5. Two years of increased winter precipitation and AMD flows have created significantly more AMD needing treatment than the Lahontan Regional Water Board is funded for;
6. Untreated and uncontrolled discharge of AMD from the ponds will harm aquatic life and create a human health hazard in Leviathan Creek and waters downstream;
7. The Lahontan Regional Water Board is currently funded \$297,670 from the General Fund for AMD treatment, which will treat approximately 4 million gallons of AMD;
8. The access road to the facility needs to be improved to provide safe access during all weather conditions and maintenance of the aging treatment system is required. The cost of this work is estimated to be \$538,000;
9. The funds allocated to treat AMD in the upcoming summer 2007 season are not adequate;
10. The Lahontan Regional Water Board needs an additional \$567,000 to treat the volume of AMD anticipated for summer 2007;
11. In addition to summer treatment, the Lahontan Regional Water Board anticipates needing to conduct spring pond water treatment in spring 2008 to prevent pond overflow;
12. An additional \$500,000 is needed to initiate the request-for-proposal contracting process for 2008 spring treatment;
13. Water Code section 13442 provides that upon application by a public agency with authority to clean up a waste or abate the effects of the waste, the State Water Resources Control Board may order monies to be paid from the CAA to assist that public agency in cleaning up the waste or abating the effects of the waste on the waters of the state; and
14. The Lahontan Regional Water Board does not have budgeted funds to conduct the needed treatment and health and safety improvements.

THEREFORE BE IT RESOLVED THAT:

The State Water Resources Control Board approves \$1,605,000 from the CAA for the Lahontan Regional Water Board to complete improvements to the access road, treatment system, and summer 2007 and spring 2008 pond water treatment at Leviathan Mine.

CERTIFICATION

The undersigned, Clerk 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 March 20, 2007.

AYE: Tam M. Doduc
Gary Wolff, P.E., Ph.D.
Arthur G. Baggett, Jr.
Charles R. Hoppin
Frances Spivy-Weber

NO: None

ABSENT: None

ABSTAIN: None



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Clerk to the Board