CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION

RESOLUTION NO. R6V-2004-0033
WDID NO. 6B360303001

CERTIFYING A MITIGATED NEGATIVE DECLARATION FOR PACIFIC GAS AND ELECTRIC COMPANY'S INTERIM PLUME CONTAINMENT AND HEXAVALENT CHROMIUM TREATMENT PROJECT; AT THE DESERT VIEW DAIRY, HINKLEY

_____San Bernardino County_____

WHEREAS, the California Regional Water Quality Control Board, Lahontan Region, finds:

1. It is the responsibility of the Regional Board to regulate the activities and factors which affect the quality of waters of the region, in order to achieve the highest water quality of waters of the region consistent with maximum benefit to the people of the state; and

2. California Water Code (CWC) section 13260(a)(1) requires that any person discharging wastes, or proposing to discharge wastes other than into a community wastewater collection system, which could affect the quality of the waters of the State, shall file a Report of Waste Discharge (RWD) with the Regional Water Quality Control Board exercising jurisdiction in the area, and that Regional Board shall then prescribe requirements for the discharge or proposed discharge of wastes; and

3. The Pacific Gas and Electric Company (PG&E) (hereafter Discharger) has filed a RWD and applied for Waste Discharge Requirements to discharge extracted ground water for treatment of pollutants to a Land Treatment Unit (LTU) located on the Desert View Dairy; and

4. The Discharger has proposed to construct a ground water extraction system and an 80-acre LTU (Project) on the Desert View Dairy located in Hinkley, San Bernardino County. The Project is designed to establish hydraulic control of the chromium plume and to treat ground water polluted with hexavalent chromium Cr(VI); and

5. The ground water at the PG&E Compressor Station, located 1 1/2 miles south of Desert View Dairy, is polluted with Cr(VI), total chromium [Cr(T)] and the contaminant plume extends northward to Desert View Dairy. The ground water below the Desert View Dairy is also polluted with nitrate (as N) and total dissolved solids (TDS) as a result of past agricultural land uses. The constituents of concern (COCs) consist of Cr(T), Cr(VI), N, and TDS; and

6. The LTU is an unlined, uncovered area for treatment of ground water affected by Cr(VI). During treatment, the soluble, hexavalent form of chromium is converted to the nonsoluble, trivalent form during application of extracted ground water by subsurface drip irrigation of a variety of grasses at the LTU; and

7. A five-foot treatment zone has been established for the Facility as required by Section 20250(b)(5) of Article 3, Title 27, California Code of Regulations; and

8. Section 20390 of Article 1, Subchapter 3, Chapter 3, Title 27, California Code of Regulations (formerly Chapter 15) requires that a water quality protection standard be established for each waste management unit in waste discharge requirements; and

9. The Regional Board is the lead agency pursuant to Section 15051 of the California Environmental Quality Act (CEQA) Guidelines; and

10. Mitigation measures have been incorporated into the Project that bring the level of all potential impacts to a level of insignificance; Regional Board staff prepared a Mitigated Negative Declaration, pursuant to Section 15070 et seq. of the CEQA Guidelines; and;

11. Regional Board staff circulated the draft Mitigated Negative Declaration for public review through the State Clearinghouse and through direct mailing to interested parties; properly noticed the draft Mitigated Negative Declaration in newspapers of general circulation in the area as required by Water Code Section 13244; and made copies of these documents available at specified locations and on the Internet; and

12. The Regional Board, in a public hearing, has reviewed and considered the Proposed Mitigated Negative Declaration and all comments received and responses thereto; and

13. The Mitigated Negative Declaration identifies potential impacts on soils, air quality, hazardous materials, and water quality. PG&E has revised the project and incorporated mitigation measures into the project to mitigate the potential effects on soils, air quality, hazardous materials, and water quality for the purpose of reducing these impacts to less than significant levels; and

14. There is no substantial evidence in the record that the certification of the Mitigated Negative Declaration for the Interim Plume Containment and Hexavalent Chromium Treatment Project, as mitigated, will have any adverse impacts on the environment.

THEREFORE BE IT RESOLVED:

1. The draft Mitigated Negative Declaration, and the responses to public comments constitute a complete and technically adequate environmental document in compliance with the California Environmental Quality Act; and

2. The Regional Board finds, on the basis of the initial study, Mitigated Negative Declaration, comments received and responses thereto that there is no substantial evidence that the project will have a significant effect on the environment; and

3. The Mitigated Negative Declaration is hereby certified; and

4. That, upon certification of the Mitigated Negative Declaration by the Regional Board, Regional Board staff shall file a Notice of Determination with the Office of Planning and Research in accordance with Section 15075 of the State CEQA Guidelines; and

5. The Executive Officer is authorized to sign the Certificate of Fee Exemption and to transmit it to the California Department of Fish and Game (CDFG) in lieu of payment of the CDFG filing fee; and

6. The Regional Board hereby adopts a Mitigation Monitoring and Reporting Plan pursuant to Section 21081.6 of the California Public Resources Code and as contained in Attachment "A" that will ensure compliance with mandatory mitigation measures during construction and the life of the project.; and

7. PG&E shall submit a summary of the Project site inspector's Daily Logs that contain any findings of adverse conditions and corrective measures taken to satisfy the required CEQA mitigation measures provided in Attachment A. The first such report is due **August 30, 2004** and future reports to be submitted on a monthly basis thereafter, until notice is provided by an authorized representative of PG&E that construction activities are completed. The monthly report shall be signed by an authorized representative of PG&E.

I, Harold J. Singer, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Lahontan Region, on July 27, 2004.

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HAROLD J. SINGER
EXECUTIVE OFFICER

Attachment: A. Mitigation Monitoring Plan

JK/rp (resolution Final)

Attachment A
Mitigation Monitoring and Reporting Plan

Mitigation Measure	Monitoring	Reporting
Air Quality		
1. Comply with the requirements of the MDAQMD including Rule 403.2 to mitigate the impact of dust and PM10 emission. The requirements of Rule 403.2 for the proposed project are: a) use periodic watering for short-term stabilization of disturbed surface area to minimize visible fugitive dust emission; b) take actions sufficient to prevent project-related trackout onto paved surfaces; c) cover loaded haul vehicles while operating on publicly maintained paved surfaces; d) stabilize graded site surfaces upon completion of grading when subsequent development is delayed or expected to be delayed more than thirty days; e) cleanup project-related trackout or spills on Publicly Maintained paved surfaces within twenty-four hours; and f) reduce non-essential earth-moving activity under high wind conditions.	▪ The onsite construction superintendent is responsible to ensure daily logs reflect monitoring compliance with MDAMD requirements. ▪ Information regarding construction activity shall be recorded in a permanent log book. Such information will include but is not limited to the time construction started and ended for the day and any unusual condition that may have occurred during the construction period.	A summary of the Daily Logs will be submitted to the Regional Board in the Monthly Reports as required in MRP until constructi .0on is complete.
2. During construction, all dust generating activities shall be restricted to periods of low wind (less than 25 miles per hour) to reduce dust emission.	• Wind conditions shall be monitored onsite or from local information representative of the site. • The onsite construction superintendent is responsible to cease construction activities during a high wind condition. • The onsite construction superintendent is responsible to ensure daily logs reflect wind speed conditions, construction activity violations, and any corrective actions.	See above.
3. All dust generating activities shall be halted whenever local wind speeds exceed 25 miles per hour.	▪ See Monitoring for No. 2, above.	See above.
4. Construction speed on unpaved roads is limited to 25 miles per hour to minimize vehicle-related dust emission.	▪ The onsite construction superintendent is responsible to ensure daily logs reflect construction equipment driving speeds, any violations, and any corrective actions.	See above.
5. Speed-limit signs will be posted.	▪ See Monitoring for No. 4, above.	See above.
Hazards and Hazardous Materials		
6. No chemicals will be stored onsite.	▪ The PGE site representative will ensure compliance and record results of a site inspection at least monthly in a permanent log book.	A Summary of the PGE Permanent Log will be submitted to the Regional Board in the Quarterly Reports as required in

Mitigation Measure	Monitoring	Reporting
		MRP. This summary will include a Certification that no chemicals such as hydrogen peroxide and citric acid were stored on site.
7. Chemical ingredients for irrigation drip line cleaning will be completely consumed during each periodic maintenance.	▪ See Monitoring for No. 6, above. ▪ The volume of the chemicals applied and duration of application for citric acid and hydrogen peroxide will be recorded. ▪ The soil field moisture content will be recorded during each chemical application.	A Summary of the PGE Permanent Log will be submitted to the Regional Board in the Quarterly Reports as required in MRP. This summary will include a Certification that all chemical ingredients were completely consumed. This summary will also include information on the volume and duration off chemical treatments and field soil moisture.
8. The offsite 750-gallon tank used for mixing the citric acid solution will be double-walled. Curbing must be placed along the perimeter of the concrete pad for containment of the full-volume	▪ See Monitoring for No. 6, above. ▪ An Emergency Response Plan will be prepared, implemented and retained onsite and available to PGE staff and shown to regulatory staff if requested.	A Summary of the PGE Permanent Log will be submitted to the Regional Board in the Quarterly Reports as required in MRP. This summary will include a Certification that all tanks are double-walled in the first monthly report after installation.
9. Hydrogen peroxide totes will be placed on a containment pallet to provide containment in the event of a leak.	▪ See Monitoring for No. 6, above.	A Summary of the PGE Permanent Log will be submitted to the Regional Board in the Quarterly Reports as required in MRP. This summary will include a Certification that containment pallets were used.
10. Herbicides may be used only if mowing does not provide sufficient weed control through a grass cover. If any herbicides are used, the application will be in accordance with the product label recommendations.	▪ See Monitoring for No. 6, above. ▪ PGE will maintain photograph documentation of the soil grass cover. ▪ PGE will record the type and amount of any herbicides used.	A Summary of the PGE Permanent Log will be submitted to the Regional Board in the Quarterly Reports as required in MRP. This summary will include a Certification that no herbicides were used or a summary of the type and amount applied.
11. The operation of the LTU will be evaluated and the distribution of crops as fodder will cease if monitoring data of plant tissue exceed 100 mg/kg of Cr(T) or indicate a threat to human health or the environment. The reasonable Cr(T) threshold concentration in crop (alfalfa) harvested for use as cattle feed presented no human health risk at concentrations below 1000	▪ A LTU monitoring program is established in the MRP and will include soil and plant tissue testing to assess the concentrations of chromium. ▪ The monitoring program includes data evaluation to assess whether there is a threat to human health or the environment.	Separately, as required by the MRP

Mitigation Measure	Monitoring	Reporting
mg/kg. It is conservative to apply a plant tissue concentration (100 mg/kg) for grasses other than alfalfa using 10 percent of the maximum threshold concentration of Cr(T).	▪ The criteria to stop LTU use is based on information published in the Public Health Assessment.	
Hydrology and Water Quality		
12. Subsurface drip irrigation systems will be used to distribute extracted ground water so that natural processes can reduce the Cr(VI) to Cr(III).	▪ PGE will collect photograph documentation as irrigation systems are installed.	Separately, as required by the MRP. Certification will be provided in the first report after installation that drip lines were used.
13. Grasses will be planted to provide nitrogen uptake.	▪ The LTU monitoring program established in the MRP includes soil moisture sampling and analysis for nitrogen migrating past the root zone.	Separately, as required by the MRP
14. During summer and most of the fall, the irrigation system will be operated at agronomic rates to prevent percolation below the LTU.	▪ PGE will ensure that the plan is implemented and effective. ▪ Each month the amount of water applied versus agronomic requirements of the crop will be established and recorded in acre feet/acre/month	Separately, as required by the MRP
15. The LTU operations will be operated to have not ponded water or ground water on the surface of the ground.	▪ The LTU will be inspected daily during the start-up and optimization period. The inspection will look for ponded water or visible signs of ponding on ground surface. When optimization is complete and routine operation are established, the LTU will be inspected weekly. ▪ The PGE site representative will ensure compliance and record results of a site inspection in a permanent log book	Separately, as required by the MRP
16. The pumping of ground water will remain within the 656 acre feet/year allowed under the Mojave River Ground Water Adjudication.	▪ The total volume of water extracted per year for the project as compared to the total adjudication of 656 acre ft/year	Information to be reported for the prior year in the first submitted monitoring report of the year.