Lahontan Regional Water Quality Control Board

EXECUTIVE OFFICER'S REPORT

December 2004 – January 2005

NORTH BASIN

1. ***Silver King Creek rotenone treatment, Regional Board decision not to adopt NPDES permit petitioned to State Board, Alpine County*** - *Jason Churchill*

At the September 8, 2004 meeting, the Regional Board decided to take no action on a proposed NPDES Permit for use of the fish poison rotenone by the California Department of Fish and Game (DFG) at Silver King Creek. Rotenone would be used to eliminate non-native fish prior to introducing the threatened Paiute Cutthroat Trout (PCT). Following the Regional Board's decision, DFG subsequently cancelled its plans to commence the treatment this year.

The State Water Resources Control Board (State Board) has received two petitions regarding the Regional Board's decision. A petition by Trout Unlimited was received on October 5, 2004, and a joint petition by DFG and the U.S. Fish and Wildlife Service (USFWS) was received on October 8, 2004. The former petition is based on the claim that the Regional Board's decision was "inappropriate and improper" because it allegedly interfered with implementation of the federal Endangered Species Act, and restricted DFG from fulfilling its responsibility under state and federal law to restore and protect the PCT. The latter petition is essentially based on claims that by delaying the project, the Regional Board's decision could imperil recovery efforts and threaten the PCT's survival; that the decision obstructs implementation of the USFWS' *Revised Recovery Plan* for the PCT; that the Regional Board in effect waived its discretion to deny the permit by failing to legally challenge DFG's Negative Declaration pursuant to CEQA provisions; that DFG was not given adequate advance notice to address concerns regarding potential impacts to rare or endemic macroinvertebrates; and that DFG suffered financial loss as a result of canceling the project.

The State Board has requested that staff provide a copy of the public record for this matter by December 9. Staff has complied with that request, and has submitted a response to the allegations made in the petitions.

2. ***Marina Permit Update*** - *Mary Fiore-Wagner*

In the Lake Tahoe Basin, industrial activities at marinas and maintenance dredging are regulated under the NPDES Industrial Stormwater and Maintenance Dredging General Permit (Marina General Permit) which was issued in 2000. Since the Marina General Permit expires five years after the date of adoption, staff is working to update this permit by June of 2005.

Unless properly planned and managed, industrial activities occurring at marinas can threaten water quality by discharging pollutants directly to surface waters. Industrial activities at marinas include fueling, boat maintenance and washing, sewage and bilge water pump-outs, and maintenance dredging.

The updated permit will retain several of the existing permit requirements. To comply under the existing Marina General Permit, marina operators must update and implement a Stormwater Pollution Prevention Plan, install and maintain best management practices, and monitor stormwater and gasoline constituents. The revised permit will give marina operators the ability to conduct on-going (5-year), small-scale, low-impact maintenance dredging and to use clean dredged spoils for beach replenishment where appropriate.

3. ***Comments on the Community Fire Plans (Fire Plans) for the California Side of the Lake Tahoe Basin*** *- Erika Lovejoy*

Staff has been participating in the planning process for development of a number of Fire Plans for the Lake Tahoe Basin to address wildfire risk due to fire suppression and fuels accumulation. Senator Diane Feinstein has asked for Fire Plans for Lake Tahoe Communities by the end of the year. The plans are a necessary step for possibly obtaining federal implementation funds.

Within the next few years, over 16,000 acres of land are proposed for fuels reduction thinning within the unincorporated areas of the Lake Tahoe Basin. This includes the North Tahoe, Meeks Bay, Fallen Leaf, and Lake Valley Fire Protection Districts. The City of Lake Tahoe developed a separate Fire Plan outside of this process. Staff reviewed the Draft Fire Plans and I submitted detailed comments on December 15, 2004. My primary concerns with the Fire Plans were that some fuels reduction treatment options did not work within the current regulatory structure, the plans did not encourage project planning to avoid environmental impacts, and cost estimates did not account for the costs of avoiding or repairing environmental impacts associated with using higher impact equipment. Staff will continue participating in the planning meetings. Staff has also offered assistance in the field to help fire districts work within the current regulatory framework.

4. ***Meyers Beacon Gas Station, El Dorado County*** *- Lisa Dernbach*

Secor International, the Regional Board's consultant, completed quarterly monitoring at the Meyers Beacon Station in September. Results of groundwater sampling show MTBE and other hydrocarbons at concentrations less than the drinking water standard at all points sampled. This marks the second consecutive quarter with such results. Since beneficial uses are being protected, the groundwater pump and treat system remains off line. The next quarterly monitoring event will have taken place in December.

In November, Secor implemented a Board staff-approved workplan and destroyed 23 monitoring and extraction wells at the site that are no longer needed. Four shallow wells previously used to inject hydrogen peroxide in the tank basin were also destroyed. The removal action was taken to eliminate unnecessary wells that have potential to act as conduits for pollution to groundwater.

Sufficient Emergency, Abandoned, and Recalcitrant (EAR) Account funds remain to continue groundwater monitoring through the first half of 2005. Those remaining funds are not sufficient to destroy the remaining 32 monitoring and extraction wells when the site eventually achieves closure status. Staff is exploring options for funding that final phase of work at the site.

5. ***Lake Tahoe TMDL Symposium*** *- Jacques Landy*

On December 9 and 10, 2004, Regional Board and Nevada Division of Environmental Protection staff organized and hosted the Lake Tahoe TMDL Symposium at the Embassy Suites Hotel in South Lake Tahoe. The Symposium included presentations of research efforts funded by the Regional Board and discussions of the coordinated public participation process associated with the TMDL, the Tahoe Regional Planning Agency's Regional Plan update, and the U.S. Forest Service's forest management plan update. About 150 members of the public, scientists, consultants and interested agency staff attended the Symposium.

The TMDL (Total Maximum Daily Load) is a water quality restoration program that is being developed to return Lake Tahoe's clarity to levels that were typical in the 1960s and early 1970s. Fine sediments and nutrients (principally nitrogen and phosphorus) that fuel algae growth have caused a decline in clarity of approximately 30 feet in the last 30 years.

The first day of the Symposium was devoted to research results to date and their integration into the watershed and lake clarity models during Phase 1 of the TMDL development, which will culminate in the Technical TMDL in summer 2005. Scientists presented results of research on

lake clarity, atmospheric deposition, watershed modeling, local meteorology, storm water quality monitoring, land use and water quality relationships, nearshore water quality, BMP (best management practice) monitoring and effectiveness, and other related subjects. This work will produce an estimate of the most significant existing sources of sediment and nutrients to Lake Tahoe and the total reduction in these loads necessary to achieve the lake's clarity standards. Presentations from the Symposium will be available sometime after the first of the year on the Regional Board's Internet web site (http://www.waterboards.ca.gov/lahontan).

The second day was devoted to Phase 2: TMDL implementation planning and the Pathway 2007 process of integrating the TMDL into updated Regional, Basin and Forest Plans. In keeping with initiation of the Pathway 2007 public process and the more stakeholder-driven nature of Phase 2, there was more opportunity for questions and general discussion than the previous day. The TMDL Team presented proposed projects that will enable us to evaluate existing and new pollution control approaches, model their impact and track their progress, and determine whether such projects and load reductions could be traded during TMDL implementation. In the afternoon, senior managers from TRPA, Lahontan, NDEP and USFS presented the Pathway 2007 collaborative planning process and described opportunities for public participation in the coming year.

I was very pleased with the efforts of Regional Board staff that resulted in a successful Symposium. Written and verbal comments received indicate that the Symposium was very helpful and informative, and the Symposium generated a host of challenging follow-up questions and suggestions. The Lake Tahoe TMDL project staff include Dave Roberts, environmental scientist and project manager; Jacques (Jack) Landy, water resource control engineer and technical TMDL lead; and Tom Gavigan, engineering geologist. Other staff assisting included Bud Amorfini, TMDL Unit Chief; Lauri Kemper, North Lahontan Watersheds Division Manager; Chuck Curtis, Planning and Toxics Division Manager; and student assistant Dave Goodell.

6. ***South Tahoe Public Utility District's 430,000 Gallon Effluent Discharge on October 23, 2004 – Enforcement Follow up*** *- Robert Larsen*

On November 5, 2005 the South Tahoe Public Utility District (District) submitted a spill report describing the October 23, 2004 effluent discharge from the new effluent export pipeline. The report provides a detailed incident chronology, a discussion of spill causes, and a total spill volume estimate. Based on the size of the effluent export line and the quantity of effluent retained by the onsite holding tanks, the District calculated the spill volume to be approximately 430,000 gallons. Monitoring data from samples collected from the Upper Truckee River by the District following the spill show elevated nitrogen, phosphorus, and bacteria downstream of the discharge point. The District reports the spill was caused by an isolated gasket failure at the point of highest system pressure.

Board Staff reviewed the submitted spill report and the Assistant Executive Officer has issued a request for additional information pursuant to Section 13267 of the California Water Code. The letter requires the District to provide a technical report describing the gasket, flange bolts, and tightening specifications to assess whether the spill could have been prevented. The District must also provide information regarding a leak in the drain-back pipeline as well as an estimate of the amount of sediment displaced by the spill.

The District has until January 21, 2005 to provide the requested information. Staff will use the additional detail along with the November 5, 2004 spill report to evaluate appropriate enforcement actions.

7. ***Heavenly Initiates Ski Resort Master Plan Update*** *- Robert Erlich*

On November 30, 2004, the operator (Heavenly) of the Heavenly Ski Resort introduced a proposed Ski Resort Master Plan update to Regional Board and Forest Service Lake Tahoe Basin Management Unit (LTBMU) staff. The 1996 Master Plan and the associated EIR/EIS were produced to guide the ski resort's operations, improvements, and expansion over

a 20-year period. The Master Plan and Master Plan Final EIR/EIS, adopted by the Tahoe Regional Planning Agency (TRPA) and approved by the LTBMU in 1996, included a Mitigation and Monitoring Plan with details on implementing and monitoring 61 mitigation measures, some of which relate to water quality issues.

The Master Plan updates proposed in 2004 generally address the operator's "areas of concerns" about lift technology, mountain utilization and lodge locations. Heavenly has proposed changes to lifts, the trail network, snowmaking, lodges, and other facilities approved in the 1996 Master Plan. While not increasing overall uphill lift capacity, the Master Plan update proposes an approximate 10% increase in the acreage of trails in the California portion of the Lake Tahoe Hydrologic Unit. The update also proposes two new lodge locations on the upper mountain in California while reducing the sizes of other upper mountain lodge facilities already approved in the 1996 Master Plan. Instead of building a new maintenance facility close to the top of the gondola constructed in 2000, the 2004 update proposes to retain and expand the Upper California Maintenance station that had been slated for removal in the 1996 Master Plan.

The Updated Waste Discharge Requirements (WDRs) for Heavenly Ski Resort (Board Order No. R6T-2003-0032) adopted by the Regional Board on July 9, 2003, identifies LTBMU) and Heavenly as the Dischargers. The LTBMU is a discharger as owner and administrator of most of the ski resort land. The WDRs requires design and installation by October 15, 2006 of permanent Best Management Practices to treat storm water runoff for complying with effluent limitations, receiving water standards, and other waste discharge requirements. The WDRs also establishes an October 15, 2006 compliance date to complete specified erosion control work pursuant to the Heavenly Valley Creek TMDL implementation program.

Regional Board staff will participate in the Master Plan update process to monitor potential impacts on WDRs compliance dates and compliance with other WDRs permit requirements. Regional Board staff also expects to review draft environmental documents evaluating the anticipated water quality effects of proposed Master Plan Update operations and facilities.

8. ***Truckee River Watershed 2004 Construction Season Wrap-Up*** **-** *Scott Ferguson*

This construction season was a very busy one in the Truckee River watershed. Staff inspected numerous construction sites, with many follow-up inspections to ensure that requested BMPs and/or operational changes had been implemented in response to verbal communication, staff enforcement letters, and Notices of Violation. Staff concentrated its efforts on constructions sites subject to regulation under the state-wide NPDES General Permit for Storm Water Discharges Associated with Construction Activities (State Board Order No. 99-08-DWQ). Most of the violations were related to inadequate BMP implementation and maintenance, inadequate training programs, and inadequate Storm Water Pollution Prevention Plans. Fortunately, this was a relatively dry summer in the Truckee watershed, and we did not experience any surface water discharges during the summer months, despite the conditions staff observed.

October 15 came with its soil disturbance prohibition and found many project sites inadequately prepared for winter conditions, which quickly developed within two days. Staff conducted some additional inspections and once again noted many site conditions that violated General Permit requirements. Staff also received several complaints identifying other violations associated with construction activity. Staff observed only one direct sediment-laden storm water discharge into surface waters. However, staff is considering issuing administrative civil liability complaints for site conditions that threatened to discharge sediment-laden storm water.

This was one of the more challenging construction seasons in the Truckee River watershed that staff has faced in quite a while. Staff speculates that some of the reasons behind the significant level of non-compliance include:

1. An increased level of development bringing in out-of-area project proponents and contractors who are not familiar with Regional Board standards and expectations.

2. Inadequate training, which leads to inadequate SWPPPs and SWPPP implementation.

3. A failure on the part of project proponents, project managers, and contractors to make water quality and other environmental protection a major project objective and priority.

Staff hopes to dedicate more time this coming spring than it did last year, providing in-depth SWPPP review. We will take this opportunity to engage project proponents, project managers, and contractors, attempting to impress upon them the importance of protecting water quality in the Truckee River watershed, and the consequences of failing to do so. I am also considering significantly limiting the conditions under which I will issue variances to the October 15 – May 1 soil disturbance prohibition period. In the past, soil disturbance activities that allowed contractors to continue building through the winter were permitted; however, soil disturbance activities beyond October 15 may now be limited to those necessary for public health and safety, and water quality protection. This will require project proponents, project managers, and contractors to improve project planning and scheduling to ensure that their projects have progressed to completion, or to a point that allows them to continue non-soil-disturbing construction activities through the winter, if necessary. I am hopeful that this modified strategy will significantly improve water quality protection associated with construction activities in the Truckee River watershed.

SOUTH BASIN

9. ***Molycorp Off-Site Groundwater Investigation Cleanup and Abatement Order (CAO) 6-98-19*** *- Christy Hunter*

Regional Water Quality Control Board staff (Board staff) has completed review of Molycorp's interim, off-site investigation report. Molycorp is recommending installation of additional monitoring wells in both the western drainage and in Wheaton Wash to better define the extent of pollution and water quality degradation. Board staff will meet with Molycorp and the Bureau of Land Management and National Park Service (landowners in the areas where the new wells will be installed) to further discuss some of the technical aspects of future site investigation work.

On-Site Evaporation Ponds

Molycorp has recently removed solids from one of two on-site evaporation ponds, which had been found to contain high concentrations of mercury. These mercury levels were greater than those predicted in the 1998 report of waste discharge and appear to be a result of bioaccumulation by algae growth. Molycorp has proposed to mitigate future accumulation of algae in these ponds through a change in pond operation to prevent algae formation. Molycorp will verify the absence of algae through increased monitoring.

Molycorp has submitted a Report of Waste Discharge proposing discharge of mineral recovery wastewater into the On-site Evaporation Ponds. This mineral recovery wastewater results from mineral processing. Molycorp has not processed any minerals since November 5, 2002 when the pipeline to the waste ponds failed. The current wastewater discharge requirements for the ponds allow the discharge of only groundwater recovery wastewater.

10. ***Kinder-Morgan, Energy Partners, L.P., Petroleum Pipeline Spill –Update*** *- Christy Hunter*

On November 22, 2004, a 14-inch petroleum-pipeline ruptured causing a release of gasoline covering about a 3-acre, uninhabited area managed primarily by the Bureau of Land Management about 30 miles south of Baker in eastern San Bernardino County. The spill site is within a half mile and north of Interstate 15.

This pipeline is operated by Kinder-Morgan and is one of two major pipelines that supplies various petroleum products to Las Vegas (an 8-inch pipeline alongside the 14 inch was unaffected). After the rupture was detected in the early morning hours on November 22, 2004 (it produced a geyser reaching about 60 feet high), product pumping was stopped. Gasoline continued to spill from the rupture point for most of that day. The Highway Patrol closed a portion of Interstate 15 for about four hours until air monitoring was completed to establish an area of safe air levels. A very preliminary estimate of spill volume is about 115,000 gallons.

The cause of the rupture is under investigation, however preliminary reports indicate that the pipeline was damaged at some time in the past, as long as several years ago. Damage may have been from other utility construction crews not associated with pipeline maintenance. Kinder-Morgan has hired a metallurgist to examine the damaged pipe section and provide a final report to the agencies.

While no surface water is present in the area, the spill covered portions of a small ephemeral wash that drains into East Cronese Lake (dry lake). Groundwater at the site is at about 109 feet below ground surface as measured in three groundwater-monitoring wells installed by Kinder-Morgan. Contamination has been detected in soil to a depth of 50 feet in a portion of the spill area closest to the pipeline rupture point.

Kinder-Morgan has been excavating contaminated soil. At least 5,000 cubic yards of contaminated soil has been excavated and is being trucked off-site to a thermal treatment plant in Adelanto at a rate of about 30 truckloads per day. For those areas too deep to excavate and/or directly beneath the pipeline, contaminated soil will be left in place and treated with a soil vapor extraction system to capture as much petroleum hydrocarbon vapor as possible, with the ultimate goal of preventing impact to groundwater. There are no known drinking water wells close. However, two downgradient supply wells, approximately one mile distant provide water for cattle. Regional Board staff sampled these wells and results of analysis were non-detectable for contaminants.

To date (December 12, 2004), San Bernardino County Fire Department Hazardous Materials is acting as lead agency. Regional Board staff was on site on November 24, 2004 to assess preliminary extent of the spill and meet with other responding agencies. Board staff will continue to work with Kinder-Morgan, San Bernardino County, and the Bureau of Land Management to oversee the development and implementation of a long-term remediation plan.

11. ***Lower Owens River Project, Inyo County*** *- Alan Miller*

The City of Los Angeles Department of Water and Power (LADWP) has submitted permit applications to the Regional Board for a project to restore water flows and beneficial uses to the lower 62 miles of the Owens River. Those familiar with the history of LADWP water development in the Eastern Sierra know that LADWP began diverting the Owens River to its Aqueduct in 1913, a practice that continues to this day. Currently, approximately half of the upper 62 miles is perennially dry, and the lower half receives some flow releases from the Aqueduct to provide and maintain riparian habitats. Through a series of lawsuits and court-enforced settlement agreements with interested parties, LADWP has undertaken the necessary planning to implement a partial restoration of the Lower Owens River.

The Lower Owens River Project (LORP) is a large-scale habitat restoration project in the Owens Valley, which will be implemented through a joint effort by LADWP and Inyo County. The U.S. Environmental Protection Agency (EPA) will contribute funding for a portion of the project. LORP implementation includes releasing to the Lower Owens River a portion of river flows that would normally enter the Aqueduct; dredging and channel modifications; construction of minor new facilities (to facilitate the release, monitoring, etc.); and installation of a pump station near the downstream end of the project area to return the majority of water released back to the Aqueduct, or to dust control projects on the dry bed of Owens Lake. The pump station is a critical component of the LORP, as LADWP must recover as much water as feasible to meet

current water service needs while fulfilling the multiple goals of the LORP.

In mid-2004, LADWP completed an Environmental Impact Report for the LORP pursuant to the California Environmental Quality Act. Regional Board staff have met with LADWP and other interested agencies concerning the project, and toured the LORP area in mid-November. Upon analyzing the LORP information, staff determined that the various LORP waste discharges could be regulated under a variety of existing General Permits. Alternately, the Regional Board could adopt an individual permit for the LORP. I have determined that the latter approach is desirable for a project of this type, and have directed staff to prepare an individual permit. I expect the LORP permit will come to the Regional Board for consideration at the regular meeting scheduled for April 13-14, 2005.

Regional Board staff support the goals of the LORP, and look forward to the large-scale restoration of beneficial uses and River functions. Projects of this magnitude are rare in California. While prospects for overall LORP success are high, there is potential for significant environmental effects related to water quality (e.g., fish kills from excessive ammonia and hydrogen sulfide, etc.), particularly during initial implementation. Therefore, the permit will likely contain a proposed short-term Basin Plan exemption from meeting certain water quality standards, as may be authorized by the Regional Board for restoration projects.

12. ***Los Angeles County Sanitation District No. 14 - Lancaster Water Reclamation Plant*** *- Kai Dunn*

Petition

On November 12, 2004, the District petitioned the State Board for a review of a Cease and Desist Order (CDO) issued by the Regional Board on October 23, 2004. The State Board has not decided whether it will accept the petition.

Interim Corrective Actions

The CDO requires the District to divert 24 million gallons (MG) from Paiute Ponds to an alternative disposal point between December 1, 2004 and March 31, 2005. The District plans to achieve this diversion by operating the existing 0.5 million gallons per day (MGD) tertiary treatment plant during winter months (November–March). Currently, the plant only operates in the spring and summer months, from April to November, to provide water to Apollo Park. The District is currently working with County Parks and Recreation staff (operators of Apollo Park) to determine if the recycled water use at Apollo Park could be increased. While the District has offered the recycled water free of charge during winter months, to date, it has been unable to secure a use for this recycled water.

Paiute Ponds Site-Specific Objectives (SSOs)

On November 3rd, Regional Board staff held a teleconference with District staff, the District's consultant, and the SSO Technical Advisory Committee (TAC). The purpose of the teleconference was to discuss the ammonia SSOs that were proposed by the District's consultant, review the comments of the peer reviewers, and develop a plan for moving forward in light of negative peer reviews.

The District's consultant and the TAC will review the peer review comments and make recommendations for either specifically addressing the comments (for example by providing supplementary explanation or backup information on the study), providing additional or modified SSO recommendations based on the SSO testing and supplementary information not included in the initial study, or recommending additional study.

District staff is aware that a Basin Plan amendment for the ammonia objectives are on hold until the peer review comments are adequately addressed or the SSO is modified to be acceptable. If neither occurs, Regional Board staff could recommend adoption of the 1999 EPA ammonia criteria.

13. ***Los Angeles County Sanitation District No. 20 & City of Los Angeles World Airports, Palmdale Water Reclamation Plant, Compliance Status*** *- Jehiel Cass*

Cease and Desist Order Petition

The District petitioned the State Water Resources Control Board to review the Cease and Desist Order adopted by the Board on October 13, 2004. The State Board has not decided whether it will accept the petition.

Nitrate Plume Delineation Report

The Cleanup and Abatement Order required the District to delineate the lateral and vertical extent of the nitrate plume to background levels. The District's August 16, 2004 Delineation Report indicates the plume is generally defined to between 1–2 mg/L, sufficiently close to background. However, two portions of the plume require additional investigations to determine: 1) if the plume is migrating towards Air Force Plant 42 drinking water wells; and 2) the extent of leakage from the unlined oxidation ponds. The District intends to address these two items as cleanup continues. The portion of the plume exceeding the 10 mg/L nitrate drinking water standard is limited to the upper 50 feet of the water table beneath the unlined percolation ponds and land spreading areas. On November 10, 2004, Board staff accepted this report provided an Addendum is submitted by December 31, 2004.

Nitrate Plume Containment and Remediation Plan

The September 15, 2004 Containment and Remediation Plan evaluated four alternatives: (1) "no action", (2) "hot-spot" cleanup using 5 extraction wells pumping for 6 months per year and disposing of extracted water in the existing unlined 40th St. storage ponds, (3) "limited containment" using 15 extraction wells pumping for 6 months per year and disposing of water into a new pond and to additional agricultural land, and (4) "aggressive remediation" using 25 extraction wells pumping year round and a reverse osmosis system that would reduce nitrate to 2 mg/L for disposal in percolation ponds near Little Rock Wash. Brine would be evaporated in new ponds and the sludge disposed in a landfill. For each alternative, nitrate concentrations would eventually be reduced to between 2 to 5 mg/L except in localized hot spots beneath the unlined oxidation ponds and land spreading areas. These areas would contain elevated concentrations above 5 mg/L beyond year 2025. Board staff is planning to meet with the District to evaluate other alternatives that may result in quicker cleanup times.

Nitrate Plume Abatement Activities

The District's August 2, 2004 Abatement Plan, accepted by Board staff, identifies interim and long-term abatement activities to prevent ongoing groundwater pollution as summarized below.

1) By November 1, 2004, the Cease and Desist Order requires final effluent concentrations for total nitrogen to be no more than 28 mg/L on an annual average basis. On September 24, 2004, the District began operating interim wastewater treatment plant improvements consisting of digester supernatant treatment and addition of ferric chloride polymer to the primary clarifiers. These measures were expected to reduce total effluent nitrogen by about 5 mg/L and result in 28 mg/L of total nitrogen. The District verbally reported that preliminary results indicate they are only achieving about a 1–2 mg/L reduction. Board staff continues to evaluate the District's nitrate reduction performance at these facilities.

2) In accordance with a schedule provided in the Plan, the District is adding additional agricultural re-use fields for summer effluent disposal. On October 5, 2004, the District began to irrigate newly planted alfalfa on one pivot in Section 15. The remaining three pivots will be planted with a winter grain crop in December 2004. Board staff reviewed an October 22, 2004 Initial Study circulated by the District to use recycled water in Sections 14 and 16 and an application for water recycling requirements is expected shortly. On November 15, 2004, the District informed Board staff that the 2005 Annual Cropping Plan, due on that date, was not ready and requested a 30-day

extension. Board staff is evaluating that request now.

3) In accordance with another schedule in the Plan, on September 20, 2004 the District circulated a Notice of Preparation of an Environmental Impact Report for the Palmdale Plant's 2025 Plan. This is the long-term plan to upgrade the wastewater treatment plant providing tertiary treatment, nitrogen removal capability and new winter storage facilities by 2009. Treatment capacity is proposed to be increased from the current 15.0 million gallons per day (mgd) to 22.5 mgd by 2025. A draft Environmental Impact Report for the 2025 Plan will be issued about April 1, 2005. Effluent disposal alternatives that will be evaluated include combinations of: a) agricultural re-use, b) evaporation ponds, c) surface water discharges, d) municipal re-use and e) groundwater recharge.

Effluent Disinfection

Board staff received a Revised Report of Waste on November 17, 2004 for the proposed effluent disinfection facilities. The District plans to use sodium hypochlorite for disinfection by April 2005.

The purpose of this project is to produce disinfected secondary effluent to be recycled for irrigation of crops at the LAWA property. The disinfected recycled water will be beneficial in case of incidental contact of workers with the recycled water at the effluent management sites.

14. ***Meadowbrook Dairy*** **-** *Joe Koutsky*

On Tuesday, November 16, 2004, I had the opportunity to attend the opening the Meadowbrook Dairy methane digester in El Mirage, San Bernardino County. The event was sponsored by the Western United Resource Development, Inc. to demonstrate to the community that Meadowbrook Dairy is a forerunner in the dairy industry and has established itself with this project as an environmental leader.

Meadowbrook Dairy has recently completed construction of their plug flow digester/engine generator. The dairy's plug flow digester captures manure from 1,200 cows and digests it over a 20-day period. The bacteria present in the digester convert the manure into methane gas that is combusted in an engine/generator set to produce 145 kW of electricity.

This innovative project also has environmental benefits such as, reduction of pathogens in the digested manure, reduction of odor during field application of the digested manure, capture of methane and other greenhouse gases before they are emitted to the atmosphere, reduction of weed seeds, reduction of manure treatment costs, and reduction of the strain on the California power grid and replacement of electricity produced from fossil fuel power plants

In addition to these benefits the electricity produced will help offset the usage of electricity on the dairy under California's new dairy net metering law AB2228.

The project has been funded in part by California's Dairy Power Production Program, administered for the California Energy Commission by Western United Resource Development Inc. Additional funding has been provided by the USDA's Natural Resources Conservation Service through their Environmental Quality Improvement Program.

15. ***Searles Valley Minerals (SVM) Cleanup Compliance Status*** **-** *Doug Feay*

Status of Compliance with Cleanup and Abatement Order

Residual oil was cleaned up from the surface water resulting in 4,300 gallons of oily brine taken offsite for recycling.

A Cleanup and Closure Plan was implemented for the Serpentine Oil Skimmer site between November 2003 and March 2004. The Serpentine Channel was cleaned up and closed and the closure report was submitted and accepted. Post closure monitoring was implemented in March 2004. No constituents of concern have been detected in monitoring conducted so far.

Cleanup included hotspot removal of petroleum hydrocarbon contaminated soils to an

appropriate location. A soil and salt cap was installed which will protect the area from wind erosion and stormwater runoff. The area is underlain by the "Parting Mud", a geologic unit or layer of thick clay gradient that will limit downward migration of contaminants.

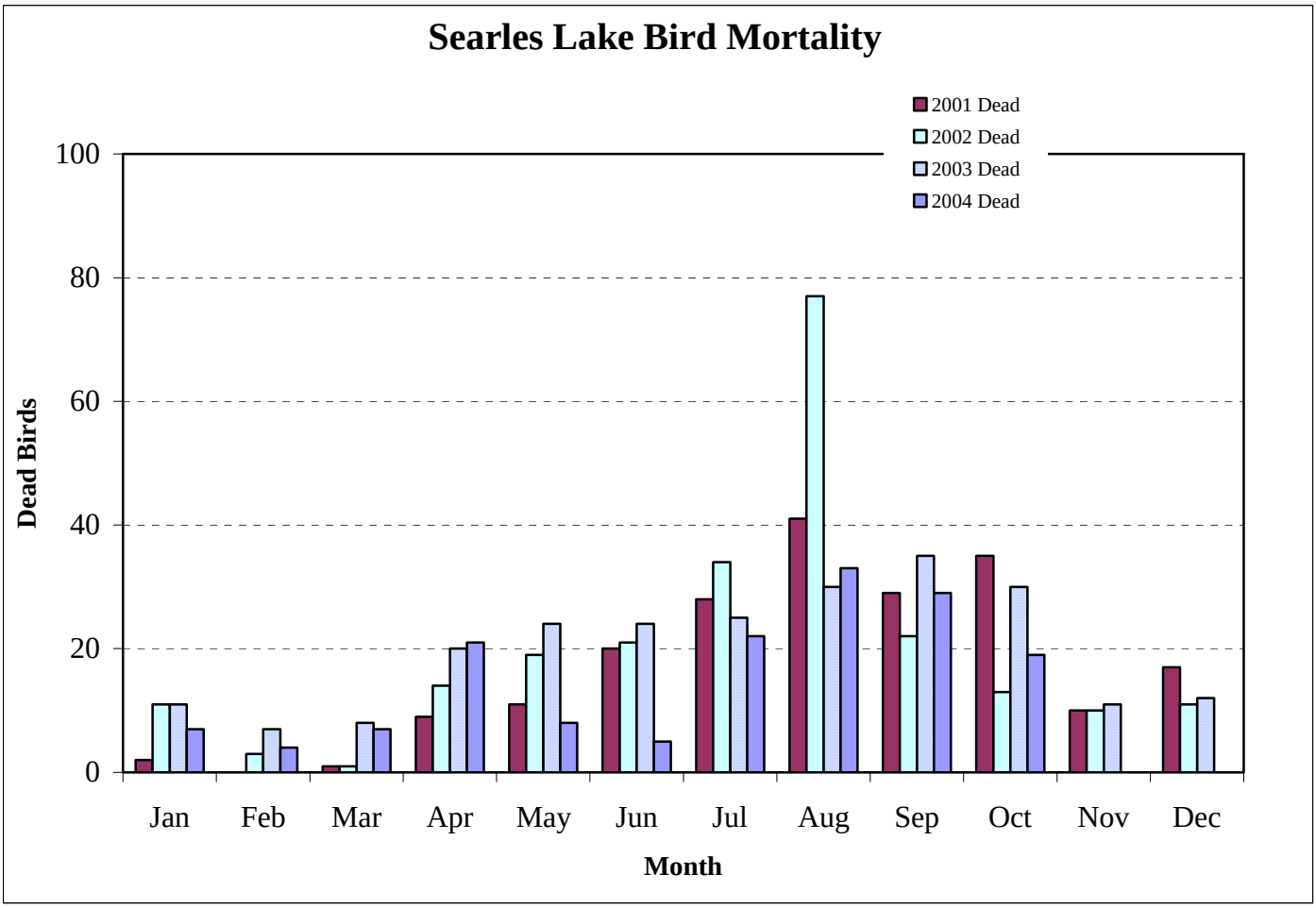
Summary of Violations of Waste Discharge Requirements

The 4.5 milligram per liter (mg/L) limit for total recoverable petroleum hydrocarbons (TRPH) was exceeded on October 20, 21, 22, and 27. The TRPH concentrations on these days ranged from 5.0 to 7.3 mg/L. The higher concentrations occurred when approximately one inch of rain fell during the period, causing the ACE plant to be shut down temporarily. Subsequent sample results were in compliance with requirements.

Five spills occurred due to failure of the pipeline that carries brine effluent from the Argus Plant back to Searles Lake for subsurface injection. The pipeline breaks resulted in effluent discharge to the surface of the dry lake. On November 19, 2004 Board staff held a meeting with SVM to discuss the spills. As a result of the meeting, SVM has developed a plan to minimize spills and monitor the affected area(s) to ensure protection of birds. Board staff is reviewing the plan for appropriate action and may recommend portions be incorporated into any future permit revision.

Presence of Dead or Affected Wildlife

During the reporting period, 46 and 61 birds were found October and November, respectively. Of these, 25 and 7 were dead or died in October and November, respectively. The chart below shows the bird totals over the last four years.



SCHEDULE OF TASKS

Lancaster Water Reclamation Plant (WDID No. 6B190107017)

Los Angeles County Sanitation District 14

Time Schedules Contained in WDRs Board Order R6V 2002-053

PERFORMANCE TASK	DUE DATE
Chlorine Toxicity II.B.1.a. – Submit a plan to achieve compliance with free residual and chlorine effluent limits	May 1, 2003 (Submitted)
II.B.1.b. - Begin implementation of the plan	December 1, 2003
II.B.1.c. - Achieve full compliance	August 25, 2005
Ammonia Toxicity II.B.2 a. – If alternative effluent limits and receiving water objectives are proposed, submit a proposal for site specific ammonia effluent and receiving water limits. If a study plan is not submitted then submit a facilities modification plan	May 1, 2003 (Submitted)
II.B.2.b – If alternative limits proposed, submit study results	December 1, 2003 (Submitted)
II.B.2.c. - If alternative limits proposed, achieve compliance with ammonia effluent and receiving water limits adopted by Regional Board	August 25, 2005
II.B.2.d. - If alternate limits are not proposed, achieve full compliance with limits in Specification I.A.55	August 25, 2005
II.B.2.e. - If alternative limits proposed and Regional Board does not approve them, achieve full compliance with ammonia limits in Order	August 25, 2006
Abandoned Wells II.B.3. – Submit work plan to identify and destroy abandoned wells	January 1, 2003 (Submitted)
Nuisance Condition II.B.4.a. - Complete project to eliminate nuisance condition created by effluent induced overflow from Paiute Ponds to Rosamond Dry Lake	August 25, 2005
II.B.4.a. - Submit semiannual progress status reports	July 15, 2004 (January 15, 2005) ongoing
Groundwater Monitoring II.B.5.a. - Submit workplan to install additional monitoring wells and piezometers	August 1, 2003 (Submitted)
II.B.5.b - Complete installation of wells, collect initial samples and submit draft report	August 1, 2004 (Submitted Phase I)
II.B.5.c - Submit final report that establishes if, and to what extent, percolation from unlined ponds affects groundwater and propose appropriate remediation measures	January 31, 2005 (Phase I final report)
Annual Compliance Reports II.E.3. - Submit annual self monitoring report compliance and monitoring summary, including actions taken or planned to bring discharger into compliance	April 1, 2004 ongoing

Cease & Desist Order No. R6V-2004-0038 (WDID No. 6B190107017)
Interim Measure Schedule

PERFORMANCE TASK	DUE DATE
Operate Apollo tertiary plant in winter I.A. – Divert 24 MG of effluent and discharge to an alternative legal disposal point other than Paiute Ponds	Between December 1, 2004 and March 31, 2005
Operate 1 MGD tertiary MBR package plant during Nov to Mar I.B. – Divert 150 MG of effluent and discharge to an alternative legal disposal point other than Paiute Ponds	June 14, 2005 Beginning November 1, 2005, and annually thereafter until final compliance is achieved.
I.B.1. – Submit a report of waste discharge if the Discharger decides to implement this interim measure, or	June 14, 2005
I.B.2. – Submit proposal if the Discharger chooses to implement another compliance method	June 14, 2005
Operate Apollo tertiary plant in winter I.C. – Divert 48 MG of effluent and discharge to an alternative legal disposal point other than Paiute Ponds	July 12, 2005 Between December 1, 2005 and April 1, 2006, and annually thereafter until final compliance is achieved.
I.C.1. – Submit a report of waste discharge if the Discharger decides to implement this interim measure, or	July 12, 2005
I.C.2. – Submit proposal if the Discharger chooses to implement another compliance method	July 12, 2005
Operate 1 MGD tertiary MBR package plant during Apr to Oct I.D. – Divert 210 MG of effluent and discharge to an alternative legal disposal point other than Paiute Ponds	July 12, 2005 Beginning April 1, 2006, and annually thereafter until final compliance is achieved.
I.D.1. – Submit a report of waste discharge if the Discharger decides to implement this interim measure, or	July 12, 2005
I.D.2. – Submit proposal if the Discharger chooses to implement another compliance method	November 10, 2005
Two permanent storage ponds (P1&2) for secondary treated effluent during Oct to Mar I.E. – Divert 280 MG of effluent and discharge to two permanent storage ponds for evaporative loss	May 13, 2006 Beginning October 1, 2006, and annually thereafter until final compliance is achieved.
I.E.1. – Submit a report of waste discharge if the Discharger decides to implement this interim measure, or	May 13, 2006
I.E.2. – Submit proposal if the Discharger chooses to implement another compliance method	May 13, 2006
Two temporary storage ponds (T1&2) for secondary treated effluent during Oct to Mar I.F. – Divert 280 MG of effluent and discharge to two temporary storage ponds for evaporative loss	May 13, 2006 Beginning October 1, 2006, and annually thereafter until final compliance is achieved.
I.F.1. – Submit a report of waste discharge if the Discharger decides to implement this interim measure, or	May 13, 2006

Cease & Desist Order No. R6V-2004-0038 (WDID No. 6B190107017)
Interim Measure Schedule

PERFORMANCE TASK	DUE DATE
I.F.2. – Submit proposal if the Discharger chooses to implement another compliance method	May 13, 2006
Store secondary treated effluent in two permanent ponds in winter for Nebeker Ranch next summer use I.G. – Divert 210 MG of effluent and discharge to two permanent storage ponds for Nebeker Ranch next summer use I.G.1. – Submit a report of waste discharge if the Discharger decides to implement this interim measure, or I.G.2. – Submit proposal if the Discharger chooses to implement another compliance method	May 13, 2006 Beginning October 1, 2006, and annually thereafter until final compliance is achieved. May 13, 2006 May 13, 2006
Two permanent storage ponds (P3&4) for secondary treated effluent during Oct to Mar I.H. – Divert 280 MG of effluent and discharge to two permanent storage ponds for evaporative loss I.H.1. – Submit a report of waste discharge if the Discharger decides to implement this interim measure, or I.H.2. – Submit proposal if the Discharger chooses to implement another compliance method	May 13, 2007 Beginning October 1, 2007, and annually thereafter until final compliance is achieved. May 13, 2007 May 13, 2007
Final Compliance II. – Eliminate the effluent-induced overflows from Paiute Ponds to Rosamond Dry Lake II.A.2. – Submit a report of waste discharge for the new storage and disposal sites II.B. – Submit a detailed plan and implementation schedule for all facilities necessary to achieve compliance if the Discharger intends to achieve timely compliance by an alternative method	October 1, 2008 November 30, 2004 (not submitted, more requirements in Interim Standards) June 1, 2005
Status Report III. – Submit quarterly status reports until final compliance achieved	January 15, April 15, July 15, and October 15

SCHEDULE OF TASKS

Palmdale Water Reclamation Plant (WDID No. 6B190107069)

Los Angeles County Sanitation District 20 (District)
and
Los Angeles World Airports (LAWA)

PERFORMANCE TASK	DUE DATE
Required by Cease and Desist Order R6V-2004-039 (District only)	
Interim Plant Improvements I.A. – Limit total effluent nitrogen to 28 mg/L	November 1, 2004
Limit Excess Nitrogen I.B. – In 2004, limit excess [land spreading] nitrogen to 188 tons	December 31, 2004
I.C. – In 2005, limit excess [land spreading] nitrogen to 99 tons	December 31, 2005
I.D. – In 2006, limit excess [land spreading] nitrogen to 80 tons	December 31, 2006
I.E. – In 2007, limit excess [land spreading] nitrogen to 80 tons	December 31, 2007
I.G. – Cease discharges of nitrogen to groundwater that create a condition of pollution	October 15, 2008
I.F. – In 2008, limit excess [land spreading] nitrogen to 78 tons	December 31, 2008
Complete New Facilities II. – Complete facilities to remain in compliance	November 15, 2009
Reporting IV.A. - Submit quarterly status reports	January 15 April 15 July 15 October 15 (Ongoing)
IV.B. – Submit Feasibility Study Report evaluating measures to eliminate land spreading by October 15, 2007	April 1, 2005
Required by Cleanup and Abatement Order R6V 2003-056 (District and LAWA)	
Plume Containment 1.2.2 - Submit a final plan (including extraction well locations and pumping rates) and time schedule for containing the plume	September 15, 2004 (Submitted)
1.2.3 – Achieve plume containment	September 30, 2005
Plume Remediation 1.3.1 - Submit a plan describing the proposed plume remediation describing how ground water will be restored to background or propose alternative cleanup levels pursuant to SWRCB Resolution 92-49	September 15, 2004 (Submitted)

PERFORMANCE TASK	DUE DATE
1.3.2 – Implement the proposed plan for ground water extraction and agricultural irrigation (or an equally acceptable alternative)	September 15, 2005
Reporting 3.2 – Submit quarterly status reports until remediation is complete including actions completed in the last three months and expected in the next three months report	January 15 April 15 July 15 October 15 (Ongoing)
Required by: Monitoring and Reporting Program 00-57-A01 **Monitoring and Reporting Program 00-57-A02** **Monitoring and Reporting Program 00-57-A03** **(District and LAWA)**	
Final Report I.E.4. – Report Completion of removing old vadose zone monitoring system	January 1, 2006
Annual Report I.G.1. – Submit an Annual Cropping Plan	November 15 (Ongoing)
Quarterly Report I.G.2. – Effluent Management Site Monitoring Report	January 15 April 15 July 15 October 15 (Ongoing)
Monthly Report G.3. – Recycled Water Treatment and Use Report	Monthly (Ongoing)
Monthly Report II.B.1 – Begin submitting Monthly reports for - Facility Influent Monitoring - Facility Effluent Monitoring - Operation and Maintenance - Biosolids Disposal	Monthly – 30 days following (Ongoing)
Quarterly Report II.B.2 – Begin submitting Quarterly reports for - Ground water Monitoring - Vadose Zone Monitoring - Effluent Management Site Monitoring - Effluent Management Site Operations - Chemical Use Monitoring	February 1 May 1 August 1 November 1 (Ongoing)
Annual Report II.B.3. – Begin submitting Annual reports for - Operations & Compliance Summary - Certified Operator status - Health and Safety Compliance - Chemical Use Monitoring - Federal Biosolids Report	March 1 (Ongoing)

PERFORMANCE TASK	DUE DATE
Required by letter from the Executive Officer (District and/or LAWA)	
- Submit Addendum to Vadose Zone Monitoring Plan (Requested on 6-24-04)	July 23, 2004 (Submitted)
- Grant Extension Request for submitting Abatement Report Addendum (Request on 7-20-04)	August 2, 2004 (Submitted)
- Provide an updated Sampling and Analysis Plan for use of Low Flow Purging (Requested on 8-6-04)	September 15, 2004 (Submitted)
- Provide a Work Plan to evaluate effects on unlined oxidation pond leakage on ground water (Requested on 8-16-04)	September 24, 2004 (Submitted)
- Submit Wind Speed Study Results (Requested on 5-21-04)	October 1, 2004 (Submitted)
- Provide a Response to comments in the 3rd Quarter 2004 CAO Status Report (Requested on 9-22-04)	October 15, 2004 (Submitted)
- Submit Tree Farm Vadose Zone Monitoring Plan (Requested on 10-26-04)	December 6, 2004 (Submitted)
– Submit Delineation Report Addendum (Requested on 11-10-04)	December 31, 2004 (Submitted)
- Submit Work Plan to Investigate or Abandoned Wells (LAWA only) (Requested on 12-6-04)	January 7, 2005
- Submit Work Plan and schedule for unlined ponds (Requested on 12-2-04)	January 7, 2005 (Submitted)