

② BVM CDO

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION**

81 Higuera Street, Suite 200
San Luis Obispo, California 93401-5427

CEASE AND DESIST ORDER NO. 93-56

**Order Requiring Buena Vista Mines, Inc.
San Luis Obispo County,
to Cease and Desist from Discharging and
Threatening to Discharge Surface Water, From Buena Vista Mine
in Violation of Requirements Contained in
Waste Discharge Requirements, Order No. 88-90 and 93-47**

The California Regional Water Quality Control Board, Central Coast Region, (hereafter Board), finds:

1. Buena Vista Mines, Inc. owns the Buena Vista Mine (BVM), an inactive mercury mine.
2. Surface water is discharged from the BVM to the south end of a culvert under the intersection of Klau Mine Road and Cypress Mountain Road approximately 8 1/2 miles upstream of Nacimiento Reservoir (Section 33, T26S, R10E, MD B&M; Adelaida 15 minute quadrangle).
3. The surface water discharge has been subject to Waste Discharge Requirements (WDR) Order No. 88-90, NPDES Permit No. CA0049352, adopted June 10, 1988. Order No. 88-90 specifies in part:

A. Discharge Prohibitions

- i. Discharge to the north fork of Las Tablas Creek of other than uncontaminated stormwater or uncontaminated seepage and at a location other than Discharge Point A or B, 35°37'32" N. Latitude, 120°53'42" W. Longitude, is prohibited.

B. Effluent Limitations

1. Water discharged to the north fork of Las Tablas Creek shall not exceed the following limits:

<u>Constituent</u>	<u>Unit of Measurement</u>	<u>30-Day Average</u>	<u>Daily Maximum</u>
Nickel	mg/l	0.1	0.2
pH	-	-	Within range of 7.0 to 8.3
Toxicity Concentration	tu	-	0.59*

*No more than one of three consecutive flow-through bioassays shall result in less than 100% survival in undiluted effluent. No single test shall ever result in less than 90% survival in undiluted effluent.

C. Receiving Water Limitations

1. The discharge shall not cause the following limits to be exceeded in the North Fork of Las Tablas Creek or Nacimiento Lake:

<u>Constituent</u>	<u>Maximum mg/l</u> <u>(Unless otherwise noted)</u>
Beryllium	0.15
Cadmium	0.004
Cobalt	0.075
Iron	1.0
Manganese	0.3
Selenium	0.01
pH	Within limit of 7.0 to 8.3 at all times, and not changed more than 0.5 units.

<u>Turbidity</u> <u>(NTU)</u>	<u>Not to exceed the</u> <u>following:</u> <u>Natural Turbidity* NTU</u>	<u>Maximum</u> <u>Increase</u>
	< 50	20%
	50 < NT < 100	10 NTU
	> 100	10%

"Natural Turbidity" shall be determined from receiving water samples taken upstream of the discharge point.

Discharge shall not:

2. Cause surface waters to be greater than 15 units or 10 percent above natural background color, whichever is greater.
3. Contain taste or odor-producing substances in concentrations imparting undesirable tastes or odors to fish flesh or other edible products of aquatic origin, causing nuisance, or adversely affecting beneficial uses of surface waters.
4. Contain oils, greases, waxes, or other similar materials in concentrations resulting in a visible film or coating on the surface of the water or on objects in the water, causing nuisance, or otherwise adversely affecting beneficial uses of surface waters.
5. Contain settleable or soluble material in concentrations resulting in the deposition of material causing nuisance or adversely affecting beneficial uses of surface waters.
6. Contain floating material, including solids, liquids, foams, and scum, on concentrations causing nuisance or adversely affecting beneficial uses of surface waters.
7. Contain suspended material in concentrations causing nuisance or adversely affecting beneficial uses of surface waters.

8. Cause a violation of any applicable water quality standard for receiving waters adopted by the Regional Board or the State Water Resources Control Board as required by the Federal Water Pollution Control Act and regulations adopted thereunder.
4. Cease and Desist Order (CDO) No. 88-91, adopted June 10, 1988, and CDO No. 90-104, adopted July 13, 1990, require full compliance with WDR No. 88-90 by October 1, 1989 and May 15, 1991, respectively.
5. Buena Vista Mines, Inc. has not complied with WDR Order No. 88-90, CDO No. 88-91 or CDO No. 90-104 in that, based on the Discharger's self monitoring reports, BVM surface water discharge continues to exceed limits ordered by WDR Order No. 88-90, which are partially listed in Finding No. 3, above.
6. The surface water discharge is subject to WDR Order No. 93-47, adopted May 14, 1993. WDR No. 93-47 contains, in part, Prohibitions, Effluent Limitations, Receiving Water Limitations, and Provisions.
7. WDR Order No. 93-47 contains more constituents with effluent limitations and in some cases, more stringent limits than contained in WDR Order No. 88-90.
8. Based on the discharger's sample analysis data, the discharge does not meet all or some of the following WDR Order No. 93-47 effluent limitations:

"B. Effluent Limitations

Discharge shall not contain total concentrations in excess of the following limits:

<u>Constituent</u>	<u>Units</u>	<u>Limit</u>
Aluminum	mg/L	1.0
Antimony	mg/L	0.006
Arsenic	mg/L	0.005
Barium	mg/L	1.0
Beryllium	mg/L	0.004
Boron	mg/L	0.75
Cadmium	mg/L	0.0086
Chromium	mg/L	0.05
Cobalt	mg/L	0.05
Copper	mg/L	0.03
Iron	mg/L	0.3
Lead	mg/L	0.03
Lithium	mg/L	2.50
Manganese	mg/L	0.05
Mercury	mg/L	0.000012
Molybdenum	mg/L	0.01
Nickel	mg/L	0.1
Selenium	mg/L	0.01
Silver	mg/L	0.013
Sodium	mg/L	69.0
Thallium	mg/L	0.002
Vanadium	mg/L	0.1
Zinc	mg/L	0.2

<u>Constituent</u>	<u>Units</u>	<u>Limit</u>
pH	pH units	between 7.0 and 8.3
Turbidity	NTU	5
Total Dissolved Solids	mg/L	1500
Specific Conductance	umhos	2200
Settleable Solids	ml/L	0.5
Acute Toxicity	There shall be no acute toxicity*	
Chronic Toxicity	TUc**	1.0
Cyanide	mg/L	0.2
Fluoride	mg/L	1.5
Chloride	mg/L	600
Sulfate	mg/L	600
Dissolved Oxygen	mg/L	> 5.0
Color	color units	15
Odor-Threshold	units	3"

* Acute toxicity is less than 90% survival, 50% of the time, and less than 70% survival, 10% of the time, of standard test organisms in undiluted effluent in a 96-hour static or continuous-flow test.

** TUc equals 100/NOEL. NOEL (No Observed Effect Level) is the maximum percent test water that causes no observed effect on a test organism, as described in a critical life stage toxicity test listed below:

Critical Life Stage Toxicity Tests

<u>Species</u>	<u>Effect</u>	<u>Test duration (days)</u>	<u>Reference</u>
fathead minnow (<u>Pimephales promelas</u>)	larval survival and growth rate	7	Horning & Weber, 1989
water flea (<u>Ceriodaphnia dubia</u>)	survival; number of young	7	Horning & Weber, 1989
alga (<u>Selenastrum capricornutum</u>)	growth rate	4	Horning & Weber, 1989

Toxicity Test Reference: Horning, W.B. and C.I. Weber (eds.). 1989. Short-term methods for estimating the chronic toxicity of effluents and receiving waters to freshwater organisms. Second edition. U.S. EPA Environmental Monitoring Systems Laboratory, Cincinnati, Ohio. EPA/600/4-89/001.

9. This enforcement action is taken for the protection of the environment and as such is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21100, et seq.) in accordance with Section 15321, Chapter 3, Title 14, California Regulatory Code.

IT IS HEREBY ORDERED pursuant to Section 13301 of the Porter-Cologne Water Quality Control Act:

Buena Vista Mines Inc. shall cease and desist from discharging wastes as specified below.

- 1. Buena Vista Mines, Inc. shall comply immediately with all Provisions of Order No. 93-47, NPDES Permit No. CA0049352.
- 2. Until November 14, 1993, Buena Vista Mines, Inc. shall comply with the following in lieu of discharge Prohibitions, Effluent Limitations and Receiving Water Limitations of Order No. 93-47:

A. Discharge Prohibitions

- 1. Discharge to the north fork of Las Tablas Creek of other than uncontaminated stormwater or uncontaminated seepage and at a location other than Discharge Point A or B, 35°37'32" N. Latitude, 120°53'42" W. Longitude, is prohibited.

B. Effluent Limitations

- 1. Water discharged to the north fork of Las Tablas Creek shall not exceed the following limits:

<u>Constituent</u>	<u>Unit of Measurement</u>	<u>30-Day Average</u>	<u>Daily Maximum</u>
Settleable Solids	ml/l	-	0.5
Mercury	mg/l	0.001	0.002
Nickel	mg/l	0.1	0.2
pH	-	-	Within range of 7.0 to 8.3
Toxicity Concentration	tu	-	0.59*

*No more than one of three consecutive flow-through bioassays shall result in less than 100% survival in undiluted effluent. No single test shall ever result in less than 90% survival in undiluted effluent.

C. Receiving Water Limitations

1. The discharge shall not cause the following limits to be exceeded in the North Fork of Las Tablas Creek or Nacimiento Lake:

<u>Constituent</u>	<u>Maximum mg/l</u> <u>(Unless otherwise noted)</u>	
Aluminum	7.5	
Antimony	9.0	
Arsenic	0.05	
Barium	1.0	
Beryllium	0.15	
Boron	1.25	
Cadmium	0.004	
Chromium	0.05	
Cobalt	0.075	
Copper	0.018	
Cyanide	0.022	
Fluoride	1.5	
Iron	1.0	
Lead	0.05	
Lithium	3.75	
Manganese	0.3	
Mercury	0.0003	
Molybdenum	0.015	
Nickel	0.28	
Selenium	0.01	
Silver	0.004	
Hydrogen Sulfide	0.0032	
Vanadium	0.15	
Zinc	0.12	
pH	Within limit of 7.0 to 8.3 at all times, and not changed more than 0.5 units.	
Temperature	Maximum increase of 5°F above natural receiving water temperature.	
Turbidity (NTU)	Not to exceed the following: <u>Natural Turbidity* NTU</u>	<u>Maximum Increase</u>
	< 50	20%
	50 < NT < 100	10 NTU
	> 100	10%

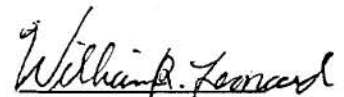
"Natural Turbidity" shall be determined from receiving water samples taken upstream of the discharge point.

Discharge shall not:

2. Cause the dissolved oxygen concentration of surface waters to be depressed below 5.0 mg/l.
 3. Cause surface waters to be greater than 15 units or 10 percent above natural background color, whichever is greater.
 4. Contain biostimulatory substances in concentrations promoting aquatic growths that cause nuisance or adversely affect beneficial uses of surface waters.
 5. Contain taste or odor-producing substances in concentrations imparting undesirable tastes or odors to fish flesh or other edible products of aquatic origin, causing nuisance, or adversely affecting beneficial uses of surface waters.
 6. Contain oils, greases, waxes, or other similar materials in concentrations resulting in a visible film or coating on the surface of the water or on objects in the water, causing nuisance, or otherwise adversely affecting beneficial uses of surface waters.
 7. Contain settleable or soluble material in concentrations resulting in the deposition of material causing nuisance or adversely affecting beneficial uses of surface waters.
 8. Contain floating material, including solids, liquids, foams, and scum, in concentrations causing nuisance or adversely affecting beneficial uses of surface waters.
 9. Contain suspended material in concentrations causing nuisance or adversely affecting beneficial uses of surface waters.
 10. Cause a violation of any applicable water quality standard for receiving waters adopted by the Regional Board or the State Water Resources Control Board as required by the Federal Water Pollution Control Act and regulations adopted thereunder."
3. By July 30, 1993, BVMI shall submit a report, certified by a qualified consultant, specifying how surface water discharge from the Buena Vista Mine will be brought into compliance with Order No. 93-47.
 4. Effective November 14, 1993, the BVM, Inc. shall comply fully with Order No. 93-47, NPDES Permit No. CA0049352.
 5. BVMI shall do anything and everything feasible to minimize and prevent violations of Order No. 93-47, NPDES Permit No. CA0049352.

Failure to comply with provisions of this Order may subject Buena Vista Mines, Inc. to further enforcement action including assessment of civil liability under Sections 13268, 13350, and/or 13385 of the California Water Code and to referral to the Attorney General for injunctive relief and civil or criminal liability.

I, WILLIAM R. LEONARD, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Coast Region, on May 14, 1993.


Executive Officer

④ Klau Mine CDO

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION**

81 Higuera Street, Suite 200
San Luis Obispo, California 93401-5427

CEASE AND DESIST ORDER NO. 93-57

**Order Requiring Buena Vista Mines, Inc., &/or Klau Mine Inc.
c/o Buena Vista Mines, Inc.,
San Luis Obispo County,
to Cease and Desist from Discharging and
Threatening to Discharge Surface Water, From the Klau Mine
in Violation of Requirements Contained in
Waste Discharge Requirements, Order No. 93-48**

The California Regional Water Quality Control Board, Central Coast Region, (hereafter Board), finds:

1. Buena Vista Mines, Inc., &/or Klau Mine Inc., c/o Buena Vista Mines, Inc. (BVMI) owns the Klau Mine, an inactive mercury mine.
2. Surface water is discharged from the Klau Mine to the Klau Branch of the South Fork of Las Tablas Creek approximately 9 miles upstream of Nacimiento Reservoir (Section 33, T26S, R10E, MD B&M; Adelaida 15 minute quadrangle).
3. Surface water is discharged discontinuously from multiple Klau Mine locations, including the Carson Drift.
4. Surface water discharge from the Carson Drift has been regulated by WDR No. 88-92, adopted June 10, 1988. WDR Order No. 88-92 contains discharge prohibitions, effluent limitations and receiving water limitations, which state, in part:

A. Discharge Prohibitions

1. Discharge to the south fork of Las Tablas Creek of other than uncontaminated stormwater or uncontaminated seepage and at a location other than 35°37'19" N. Latitude, 120°54'0" W. Longitude, is prohibited.

B. Effluent Limitations

1. Water discharged to the south fork of Las Tablas Creek from the Carson Drift shall not exceed the following limits:

<u>Constituent</u>	<u>Unit of Measurement</u>	<u>30-Day Average</u>	<u>Daily Maximum</u>
Mercury	mg/l	0.001	0.002
Nickel	mg/l	0.1	0.2
pH	-	-	Within range of 7.0 to 8.3

C. Receiving Water Limitations

1. Water discharged from the Carson Drift shall not cause the following limits to be exceeded in the North Fork of Las Tablas Creek:

<u>Constituent</u>	<u>Maximum mg/l</u> <u>(Unless otherwise noted)</u>
Aluminum	7.5
Chromium	0.05
Cobalt	0.075
Copper	0.018
Iron	1.0
Manganese	0.3
Mercury	0.0003
Nickel	0.28
Zinc	0.12
pH	Within limit of 7.0 to 8.3 at all times, and not changed more than 0.5 units.

Discharge shall not:

2. Cause surface waters to be greater than 15 units or 10 percent above natural background color, whichever is greater.
 3. Contain taste or odor-producing substances in concentrations imparting undesirable tastes or odors to fish flesh or other edible products of aquatic origin, causing nuisance, or adversely affecting beneficial uses of surface waters.
 4. Contain oils, greases, waxes, or other similar materials in concentrations resulting in a visible film or coating on the surface of the water or on objects in the water, causing nuisance, or otherwise adversely affecting beneficial uses of surface waters.
 5. Contain settleable or soluble material in concentrations resulting in the deposition of material causing nuisance or adversely affecting beneficial uses of surface waters.
 6. Contain floating material, including solids, liquids, foams, and scum, on concentrations causing nuisance or adversely affecting beneficial uses of surface waters.
 7. Contain suspended material in concentrations causing nuisance or adversely affecting beneficial uses of surface waters.
 8. Cause a violation of any applicable water quality standard for receiving waters adopted by the Regional Board or the State Water Resources Control Board as required by the Federal Water Pollution Control Act and regulations adopted thereunder."
5. Cease and Desist Order (CDO) No. 88-93, adopted June 10, 1988 requires full compliance with WDR Order No. 88-92 by October 1, 1989.
 6. Buena Vista Mines, Inc. has not complied with WDR Order No. 88-92 and CDO No. 88-93 in that Carson Drift surface water discharge continues to exceed limits ordered by WDR No. 88-92 and CDO No. 88-93 which are listed in part in Finding No. 4. above.

7. Surface water discharge from the entire Klau Mine, including the Carson Drift, is regulated by Waste Discharge Requirements Order No. (WDR) 93-48, adopted May 14, 1993. WDR No. 93-48 contains, in part, prohibitions and effluent limitations, as follows:

"A. Prohibitions

1. Discharge at a point other than the discharge locations shown on Figure 6 is prohibited.

B. Effluent Limitations

Discharge shall not contain total concentrations in excess of the following limits:

<u>Constituent</u>	<u>Units</u>	<u>Limit</u>
Aluminum	mg/L	1.0
Antimony	mg/L	0.006
Arsenic	mg/L	0.005
Barium	mg/L	1.0
Beryllium	mg/L	0.004
Boron	mg/L	0.75
Cadmium	mg/L	0.0086
Chromium	mg/L	0.05
Cobalt	mg/L	0.05
Copper	mg/L	0.03
Iron	mg/L	0.3
Lead	mg/L	0.03
Lithium	mg/L	2.50
Manganese	mg/L	0.05
Mercury	mg/L	0.000012
Molybdenum	mg/L	0.01
Nickel	mg/L	0.1
Selenium	mg/L	0.01
Silver	mg/L	0.013
Sodium	mg/L	69.0
Thallium	mg/L	0.002
Vanadium	mg/L	0.1
Zinc	mg/L	0.2
pH	pH units	between 7.0 and 8.3
Turbidity	NTU	5
Total Dissolved Solids	mg/L	1500
Specific Conductance	umhos	2200
Settleable Solids	ml/L	0.5
Acute Toxicity	There shall be no acute toxicity*	
Chronic Toxicity	TUc**	1.0

<u>Constituent</u>	<u>Units</u>	<u>Limit</u>
Cyanide	mg/L	0.2
Fluoride	mg/L	1.5
Chloride	mg/L	600
Sulfate	mg/L	600
Dissolved Oxygen	mg/L	>5.0
Color	color units	15
Odor-Threshold	units	3

* Acute toxicity is less than 90% survival, 50% of the time, and less than 70% survival, 10% of the time, of standard test organisms in undiluted effluent in a 96-hour static or continuous-flow test.

** TUC equals 100/NOEL. NOEL (No Observed Effect Level) is the maximum percent test water that causes no observed effect on a test organism, as described in a critical life stage toxicity test listed below:

Critical Life Stage Toxicity Tests

<u>Species</u>	<u>Effect</u>	<u>Test duration (days)</u>	<u>Reference</u>
fathead minnow (<u>Pimephales promelas</u>)	larval survival and growth rate	7	Horning & Weber, 1989
water flea (<u>Ceriodaphnia dubia</u>)	survival; number of young	7	Horning & Weber, 1989
alga (<u>Selenastrum capricornutum</u>)	growth rate	4	Horning & Weber, 1989

Toxicity Test Reference: Horning, W.B. and C.I. Weber (eds.). 1989. Short-term methods for estimating the chronic toxicity of effluents and receiving waters to freshwater organisms. Second edition. U.S. EPA Environmental Monitoring Systems Laboratory, Cincinnati, Ohio. EPA/600/4-89/001.

8. Based on inspection data, the Klau Mine surface water discharge does not meet all or some of the prohibitions and effluent limitations listing in Finding No. 7, above.
9. This enforcement action is taken for the protection of the environment and as such is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21100, et seq.) in accordance with Section 15321, Chapter 3, Title 14, California Regulatory Code.

IT IS HEREBY ORDERED pursuant to Section 13301 of the Porter-Cologne Water Quality Control Act:

1. Buena Vista Mines, Inc., and Klau Mines, Inc., shall immediately comply with all Provisions of Order No. 93-48.
2. Until September 15, 1994, Buena Vista Mines, Inc. and Klau Mine, Inc., shall comply with the following in lieu of Discharge Prohibitions, Effluent Limitations, and Receiving Water Limitations of Order No. 93-48:

A. Discharge Prohibitions

1. Discharge to the south fork of Las Tablas Creek of other than uncontaminated stormwater or uncontaminated seepage and at a location other than 35°37'19" N. Latitude, 120°54'0" W. Longitude, is prohibited.

B. Effluent Limitations

1. Water discharged to the south fork of Las Tablas Creek from the Carson Drift shall not exceed the following limits:

<u>Constituent</u>	<u>Unit of Measurement</u>	<u>30-Day Average</u>	<u>Daily Maximum</u>
Settleable Solids	ml/l	-	0.5
Total Suspended Solids	mg/l	20	30
Mercury	mg/l	0.001	0.002
Nickel	mg/l	0.1	0.2
pH	-	-	Within range of 7.0 to 8.3
Toxicity Concentration	tu	-	0.59*

*No more than one of three consecutive flow-through bioassays shall result in less than 100% survival in undiluted effluent. No single test shall ever result in less than 90% survival in undiluted effluent.

C. Receiving Water Limitations

1. Water discharged from the Klau Mine and Carson Drift shall not cause the following limits to be exceeded in the ~~North Fork~~ of Las Tablas Creek:

Klau Branch

<u>Constituent</u>	<u>Maximum mg/l</u> <u>(Unless otherwise noted)</u>
Aluminum	7.5
Antimony	9.0
Arsenic	0.05
Barium	1.0
Beryllium	0.15
Boron	1.25
Cadmium	0.004
Chromium	0.05
Cobalt	0.075
Copper	0.018
Cyanide	0.022
Fluoride	1.5
Iron	1.0
Lead	0.05
Lithium	3.75
Manganese	0.3
Mercury	0.0003
Molybdenum	0.015
Nickel	0.28
Selenium	0.01
Silver	0.004
Sulfide Hydrogen Sulfide	0.0032
Vanadium	0.15
Zinc	0.12
pH	Within limit of 7.0 to 8.3 at all times, and not changed more than 0.5 units.
Temperature	Maximum increase of 5°F above natural receiving water temperature
Turbidity (NTU)	Not to exceed the following:
	<u>Natural Turbidity* NTU</u>
	< 50
	50 < NT < 100
	> 100
	<u>Maximum Increase</u>
	20%
	10 NTU
	10%

"Natural Turbidity" shall be determined from receiving water samples taken upstream of the discharge point.

Discharge shall not:

2. Cause the dissolved oxygen concentration of surface waters to be depressed below 5.0 mg/l.
 3. Cause surface waters to be greater than 15 units or 10 percent above natural background color, whichever is greater.
 4. Contain biostimulatory substances in concentrations which promote aquatic growths causing nuisance or adversely affecting beneficial uses of surface waters.
 5. Contain taste or odor-producing substances in concentrations imparting undesirable tastes or odors to fish flesh or other edible products of aquatic origin, causing nuisance, or adversely affecting beneficial uses of surface waters.
 6. Contain oils, greases, waxes, or other similar materials in concentrations resulting in a visible film or coating on the surface of the water or on objects in the water, causing nuisance, or otherwise adversely affecting beneficial uses of surface waters.
 7. Contain settleable or soluble material in concentrations resulting in the deposition of material causing nuisance or adversely affecting beneficial uses of surface waters.
 8. Contain floating material, including solids, liquids, foams, and scum, on concentrations causing nuisance or adversely affecting beneficial uses of surface waters.
 9. Contain suspended material in concentrations causing nuisance or adversely affecting beneficial uses of surface waters.
 10. Cause a violation of any applicable water quality standard for receiving waters adopted by the Regional Board or the State Water Resources Control Board as required by the Federal Water Pollution Control Act and regulations adopted thereunder.
3. Effective September 15, 1994, Buena Vista Mines, Inc., and Klau Mine, Inc., shall comply fully with Order No. 93-48, NPDES Permit No. CA0049361.
 4. Buena Vista Mines, Inc. and/or Klau Mine, Inc. c/o BVMI shall do anything and everything feasible to minimize and prevent violations of Order No. 93-48, NPDES Permit No. CA0049361.

5. By November 8, 1993, BVMI and/or Klau Mine, Inc., c/o BVMI shall prevent erosion of sediment from the Klau Mine to surface water.
6. By November 8, 1993, BVMI and/or Klau Mine, Inc., c/o BVMI shall submit a report, certified by a qualified consultant, specifying how surface water discharge from the Klau Mine will be brought into compliance with Order No. 93-48.

Failure to comply with provisions of this Order may subject the Discharger to further enforcement action including assessment of civil liability under Sections 13268, 13350, and/or 13385 of the California Water Code and/or referral to the Attorney General for injunctive relief and civil or criminal liability.

I, WILLIAM R. LEONARD, Executive Officer of the California Regional Water Quality Control Board, Central Coast Region, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Coast Region, on May 14, 1993.


Executive Officer

sue**/cdo.klm