

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LAHONTAN REGION**

**BOARD ORDER NO. R6V-2004-0021  
WDID NO. 6B368020002**

**RESCISSION OF WASTE DISCHARGE REQUIREMENTS  
BOARD ORDER NO. R6V-2002-036  
FOR**

**IMC CHEMICALS, INC., KERR MCGEE CHEMICAL LLC, AND THE U.S.  
DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT;  
ARGUS BOILER ASH PILE**

San Bernardino County

The California Regional Water Quality Control Board, Lahontan Region (Regional Board) finds:

1. Discharger

IMC Chemicals, Inc. (IMCC) is the current owner of the closed Argus Boiler Ash Pile. Kerr McGee Chemical LLC (KMCLLC) performed post-closure monitoring and maintenance for the Argus Boiler Ash Pile pursuant to its Closure and Post-Closure Maintenance Plan. The Regional Board revised Waste Discharge Requirements (WDRs) for the disposal site under Board Order No. R6V-2002-36 on June 12, 2002, including requirements for the oversight, management, and post-closure care of the disposal site. WDRs for the site were also prescribed in Board Order Nos. 6-95-105 adopted September 14, 1995 and 6-85-89 adopted July 9, 1985. The site is on public land administered by the U.S. Department of the Interior, Bureau of Land Management (BLM). For the purposes of this Regional Board Order (Order), IMCC, KMCLLC, and BLM are collectively referred to as the "Discharger."

2. Facility

The Argus Boiler Ash Pile is referred to as the "Facility." The Facility is an unlined waste pile which has been closed. The site first received waste fly and bottom ash from the Argus Boiler furnace in 1978. In 1990 the site stopped receiving waste fly and bottom ash. In 1995 KMCC closed the Facility according to the requirements set forth in Board Order No. 6-95-105. During its operation, the pile was permitted to receive (in tons per year) bottom ash (10,000); fly ash (40,000); waste refractory debris (2); and pyrite (15).

3. Reasons for Action

The Discharger has closed, graded and covered over the site and has requested that the WDRs for the discharge be rescinded. It is appropriate to rescind the WDRs because the results from nine years of sampling and analysis of soil and ground water beneath the site show that the site does not threaten water quality and is appropriately closed and post-closure requirements have been satisfactorily completed.

4. California Environmental Quality Act Compliance

This action is being taken by the Regional Board to rescind WDRs issued pursuant to the California Water Code and as such is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.) in accordance with Section 15321(a)(2), Title 14, California Code of Regulations.

5. Public Notification

The Regional Board has notified the Dischargers and interested agencies and persons of its intent to rescind WDRs for the Facility. The Regional Board, in a public meeting, heard and considered all comments pertaining to the rescission of these WDRs.

**IT IS HEREBY ORDERED** that Board Order No. R6V-2002-036 be rescinded.

I, Harold J. Singer, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Lahontan Region, on June 9, 2004.

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HAROLD J. SINGER  
EXECUTIVE OFFICER