

September 30, 2015

California Regional Water Quality Control Board, Lahontan Region  
2501 Lake Tahoe Boulevard  
South Lake Tahoe, California 96150

Dear Lahontan Regional Water Quality Control Board Members and Staff:

This comment letter is regarding the draft CAO that was issued on September 1 and was discussed at the September 16<sup>th</sup> and 17<sup>th</sup> Board meetings in Barstow. First I have had many conversations with community members about the Water Board, specifically about the last few years. On many occasions promises were made and not followed through or the complete opposite was done. We are concerned about the Water Board's Advisory team meeting with PG&E and making major changes to the Draft CAO, changes that clearly favors PG&E with no discussion with the other stakeholders involved. The community was given the word of the executive officer that this would not happen. The Water Board's leadership needs to listen to the Enforcement/Prosecution Team whom has the education, background, history, Hinkley experience and qualifications to make the best and just decisions for the Hinkley community. The Water Board Advisory Team has proposed major changes to the draft CAO that are not in the best interest of the community or the environment, one example is the plume contouring requirements. The Board members have to make decisions based on the information from your most qualified, experienced and informed people. Those people are your Enforcement/Prosecution Team and not the Advisory Team which is basing their conclusions on one sided discussions and politics. The members of the Enforcement/Prosecution Team have sat through hundreds of hours of discussions with all the stakeholders and many more hours separately sifting through piles of data. The Enforcement/Prosecution Team has more than a combined fifty plus years working on the Hinkley Groundwater Remediation Program. Below are some of the changes that are in the best interest of the community in regards to the CAO.

- Plume drawing should be based on the Enforcement/Prosecution team's recommendation on connecting monitoring wells above background levels and within 2600 feet. The discharger should also be required to close any data gaps in the plume contouring that are beyond 2600 feet or include that area in the plume map. These requirement need to be in place until the completion of the USGS Background Study. The USGS Background Study is an **independent scientific study** that will be based on **"Best Professional Judgement"** to understand and identify chromium six distributions throughout the Hinkley Valley. **We do not agree with the Advisory Team to allow PG&E's consultant to draw the plume based on their "Best Professional Judgement", since it is not in the best interest of the Hinkley Community.**
- We also strongly disagree with the Advisory Team's use of language in the quarterly mapping. Using all available science including PG&E's conclusions, the plume has traveled as far north as

Harper Dry Lake. Allowing the discharger to input their opinion on a contouring map ordered by the state is confusing and is a big concern for the Hinkley Community that the Advisory Team would allowed that to happen. PG&E has to be required to draw the plume line as required by the state water board.

- We agree with the Enforcement/Prosecution Team that replacement water should be for **“all indoor uses”**. If a domestic well is impacted by PG&E’s historical discharges then community members should have the right to feel safe to take showers/baths and not just for cooking and drinking purposes. Swamp coolers are used the majority of the year and require water to work. This alone should warrant the continuing of whole house replacement. Community members should not be afraid to use water at their home especially when it comes to bathing or breathing.
- We also request that the board continue to protect public health by continuing to enforce a **minimum of a half mile buffer** around the PG&E defined plume. This is a common practice which protects public health and awareness.
- I would like to request that the board continue to support the CAC in the CAO as in the past. The people that dedicate hours of their time to learn the extremely complicated issues of this cleanup deserve nothing less than what was promised from the beginning. The other groups discussed in the draft have different concerns or agendas that are not the responsibilities of the Water Board and do not take the time to understand the complexity of our situation. Their concerns are important but do not deal with the contamination rather above ground issues like real estate the school and community growth. None of these problems are the responsibility of the Lahontan Water Board they are community issues with PG&E.

In closing, there is a great concern with in the Hinkley Community about the path the Board has taken in the past few years. The division between board staff (Prosecution and Advisory Teams) is clear and has led to unfair practices that reflect on the Board itself. We all still have a difficult and long road ahead as a community that deserves and asks only for fairness and justice. We all need to remember the world is watching, the decision made will be looked at and scrutinized for years to come. The community that’s left and others will be asked if those responsible for ensuring that the largest plume of its kind was properly cleaned with the interests of the people and environment taken into consideration. The decisions you make now will affect the answers given in the future.

Daron Banks

[REDACTED]

[REDACTED]

**From:** [REDACTED]  
**To:** [RB6enfproceed@waterboards](mailto:RB6enfproceed@waterboards)  
**Date:** Wednesday, September 30, 2015 3:50:12 PM

---

I would also like to remind the board the original intent of the CAC and what your requirements were. Outlined in the CAO NO. R6V-2011-0005A1 pages 8 section 31 and 13 section 4. This was and still is the intent of the CAC as outlined by the board. I request that the board remember this intent. Please read your own orders and do not lose focus of what everyone's responsibilities are. The water board and staff are in the Hinkley community to do regulate and hold to discharger accountable for the contamination and protect human health. No where does its authority reach to other issues. Please continue the order in page 8 section 31 and support the CAC this is the only group that's main concern is the contamination of Hinkley ground water and the eventual cleanup.

Daron Banks