

California Regional Water quality Control Board  
North Coast Region

RESOLUTION NO. R1-2006-0082

APPROVING THE INITIAL STUDY/CHECKLIST AND  
ADOPTING A NEGATIVE DECLARATION FOR  
GROUNDWATER EXTRACTION AND TREATMENT

FOR

WILLITS ENVIRONMENTAL REMEDIATION TRUST  
AND THE  
CITY OF WILLITS

PAGE PROPERTY

4280 Canyon Road  
Willits, California

Mendocino County

WHEREAS, the California Regional Water Quality Control Board, North Coast Region, (hereinafter the Regional Water Board) finds that:

1. California Water Code section 13260, subdivision (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 waters of the State, shall file a report of waste discharge (ROWD) with the Regional Water Board exercising jurisdiction in the area, and that the Regional Water Board shall then prescribe requirements for the discharge or proposed discharge of wastes.
2. The Willits Environmental Remediation Trust (WERT) has filed a ROWD and applied for Waste Discharge Requirements which also serve as a National Pollutant Discharge Elimination System permit (NPDES) to extract contaminated groundwater to abate the discharge to Darby Creek, treat the groundwater to below detectable limits, and discharge the highly treated groundwater to Darby Creek.
3. The WERT is an independent instrumentality of the United States District Court for the Northern District of California, as established pursuant to the Amended Final Consent Decree, Final Order, and Final Judgment. And Order Establishing the Willits Environmental Remediation Trust, entered by Judge Susan Illston (N.D. Ca., Case No. C-96-0283SI) on December 22, 2000 (Consent Decree). The WERT was established in part to completely, timely and cost-effectively conduct all investigatory and remedial work at the Remco Facility at 934 South Main Street in Willits, California (Remco Site), and surrounding areas in and around the City of Willits where hazardous substances associated with the Remco Facility operations are located. The Page Property is a location where Remco wastes are located, and the WERT is investigating and cleaning up those wastes.

In the 1940's the City of Willits acquired 2.4 acres of land for use as a municipal landfill. The municipal landfill was operated by Wilson Page on behalf of the City of Willits. The City of Willits is the current landowner of the site where Remco wastes are located.

5. Soil and groundwater beneath the site is contaminated with hexavalent chromium.
6. Groundwater quality from the groundwater extraction and treatment system will be monitored through Monitoring and Reporting Program No. R1-2006-0067.
7. The Water Quality Control Plan for the North Coast Region designates the beneficial uses of groundwater as municipal and domestic supply, agricultural supply, industrial service supply, freshwater replenishment of lakes and streams, and Native American Culture. Potential beneficial uses of groundwater include industrial process supply and aquaculture.
8. The direction of groundwater flow is to the southwest. Contaminated groundwater is seeping out of the westerly side of the burn dump and discharging to Darby Creek. As specified in the Waste Discharge Requirements/NPDES Permit, and the Negative Declaration, the Discharger will abate the discharge of contaminated groundwater to Darby Creek by constructing a groundwater extraction and treatment system.
9. The permitted discharge is consistent with the anti-degradation provisions of State Water Resources Control Board Resolution No. 68-16 (Anti-degradation Policy). The groundwater extraction and treatment system is designed to produce an improvement to surface water quality in Darby Creek by abating the discharge of contaminated groundwater.
10. The Regional Water Board has notified the Dischargers and interested agencies and persons of its intent to prescribe Waste Discharge Requirements/NPDES Permit for this discharge and has provided them with an opportunity to submit their written views and recommendations. The Regional Water Board, in a public meeting on August 9, 2006, heard and considered all comments pertaining to the discharge and to the tentative Waste Discharge Requirements/NPDES Permit.
11. The Regional Water Board has assumed lead agency role for this project under the California Environmental Quality Act (Pub. Resources Code, section 21000 et seq.) (CEQA) and has prepared an Initial Study/Checklist in accordance with title 14, California Code of Regulations, section 15063. Based on the Initial Study/Checklist, Regional Water Board staff prepared a Negative Declaration determining that the project would not have a significant adverse effect on the environment.
12. Copies of the Initial Study/Checklist and proposed Negative Declaration were transmitted to the State Clearinghouse, all agencies, and interested parties.
13. The Regional Water Board has received the Initial Study/Checklist and Negative Declaration concerning this Resolution prepared by staff, in compliance with CEQA. The Initial Study/Checklist and Negative Declaration were circulated for public review and

comment. The Negative Declaration reflects the Regional Water Board's independent judgment and analysis.

14. All substantive comments received have been addressed by Regional Water Board staff. The Regional Water Board considered the Initial Study/Checklist and Negative Declaration, and all testimony and evidence at a public hearing held on August 9, 2006, at the David C. Joseph Hearing Room located at the Regional Water Board office, 5550 Skylane Boulevard, Suite A, Santa Rosa, California. The Regional Water Board finds that, after consideration of the written and oral comments, staff's professional review and advice, and the Negative Declaration, there is no evidence in the record to support a fair argument that there may be adverse environmental impacts resulting from the proposed project.

THEREFORE, BE IT RESOLVED that the Regional Water Board:

1. Adopts the Initial Study/Checklist and Negative Declaration and directs the Executive Officer to file a Notice of Determination with the State Clearinghouse within 30 days in accordance with Title 14, California Code of Regulations, section 15075.
2. Directs that a copy of this Resolution shall be forwarded to the State Water Resources Control Board and all interested parties.
3. Directs that the groundwater extraction and treatment system shall conform with all the requirements, conditions and provisions set forth in Waste Discharge Requirements/NPDES Permit No. R1-2006-0067, and Monitoring and Reporting Program No. R1-2006-0067.

Certification

I, Catherine E. Kuhlman, 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, North Coast Region, on August 9, 2006.

  
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Catherine E. Kuhlman  
Executive Officer