
Central Valley Regional Water Quality Control Board

3 March 2017

Sunil Kishnani
Trustee
IT Environmental Liquidating Trust
2251 Lake Herman Road
Benicia, CA 94510

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NOTICE OF APPLICABILITY (NOA); LIMITED THREAT GENERAL WASTE DISCHARGE REQUIREMENTS ORDER R5-2016-0076; BENSON RIDGE FACILITY, LAKE COUNTY

Our office received a Report of Waste Discharge application on 2 February 2017 from IT Environmental Liquidating Trust (hereinafter Discharger), for discharge of rainwater to surface water. Based on the application packet submitted by the Discharger and supplemental information provided on 23 February 2017, staff has determined that the project meets the required conditions for approval under the General Order for Limited Threat Discharges to Surface Water (Limited Threat General Order), **Tier 1A**. This project is hereby assigned Limited Threat General Order R5-2016-0076-003 and National Pollutant Discharge Elimination System (NPDES) Permit No. CAG995002. Please reference your Limited Threat General Order number, **R5-2016-0076-003**, in your correspondence and submitted documents.

The enclosed Limited Threat General Order may also be viewed at the following web address: http://www.waterboards.ca.gov/centralvalley/board_decisions/adopted_orders/general_orders/r5-2016-0076_mod.pdf. You are urged to familiarize yourself with the contents of the entire document. The Limited Threat General Order prescribes mandatory discharge monitoring and reporting requirements. The project activities shall be operated in accordance with the requirements contained in this NOA and the Limited Threat General Order.

CALIFORNIA TOXICS RULE / STATE IMPLEMENTATION POLICY MONITORING

The Limited Threat General Order incorporates the requirements of the California Toxics Rule (CTR) and the State Water Resources Control Board's (State Water Board), *Policy for Implementation of Toxics Standards for Inland Surface Waters, Enclosed Bays, and Estuaries of California, 2005*, also known as the State Implementation Policy (SIP). Screening levels for CTR constituents are found in Attachment I of the Limited Threat General Order. Review of your influent water quality data in comparison to the screening values, showed no reasonable potential for the discharge to cause or contribute to an exceedance of water quality objectives in McIntire Creek, a tributary to Clear Lake.

PROJECT DESCRIPTION

The Benson Ridge Facility (Facility) is a closed landfill located at 7620 Highway 29, Kelseyville, California, and is regulated under Title 27 Waste Discharge Requirements R5-2008-0062. The Facility is located on 150 acres of land, where approximately 25 acres was used to conduct waste management operations for: (1) fluids generated in the exploration and production of oil and gas; (2) geothermal power plant wastes from hydrogen sulfide removal equipment and solid

waste from reconstruction and/or maintenance activities; (3) geothermal condensates and brines; and, (4) petroleum fractions.

The site was closed December 1992 in accordance with the California Environmental Protection Agency, Department of Toxic Substances Control approved Closure and Post-closure plans. The closure system is designed to minimize the potential for post-closure releases of wastes and includes a groundwater recovery system and an evaporation basin for evaporation of recovered groundwater. The groundwater evaporation basin consists of the North and South cells. The South cell is used for year-round storage of site-generated groundwater. From May through September, the North cell is used for enhanced evaporation of recovered groundwater, but since enhanced evaporation is not effective during the cooler, wet months (typically October through April), rinsate and residual solids from the North cell are pumped into the South cell at the onset of the wet season. The North cell is then thoroughly cleaned by manual sweeping, brushing, and pressure washing, and rainwater is allowed to collect in the cleaned cell. The rainwater can be discharged to the existing surface water drainage at the Facility and the discharge is visually observed to confirm that it does not cause erosion or sedimentation. The existing surface water drainage flows into a sedimentation basin before being discharged into McIntire Creek, a tributary of Clear Lake.

The Discharger has existing coverage under the General Permit for Storm Water Discharges Associated with Industrial Activities, Order 2014-0057-DWQ (Industrial Storm Water General Permit). The Facility was last certified under the Industrial Storm Water General Permit with a No Exposure Certification on 3 March 2015. Due to the measures implemented for the closure of the Facility, the Facility has been exempted from stormwater sampling, but surface water sampling is performed in accordance with the Industrial Storm Water General Permit's Monitoring and Reporting Program. The Discharger also has coverage under Statewide General WDRs for Dischargers to Land with a Low Threat to Water Quality, Order No. 2003-0003-DWQ. This permit allows collected stormwater to be spray irrigated on 39 acres.

EFFLUENT LIMITATIONS

Effluent limitations are specified in Section V. Effluent Limitations and Discharge Specifications of the Limited Threat General Order. The following effluent limitations are applicable to this discharge and are contained in Section V. A and B of the Limited Threat General Order:

A. Effluent Limitations – Limited Threat Discharge to Specific Waterbodies

4. The pH of all limited threat discharges within the Sacramento and San Joaquin River Basins (except Goose Creek) shall at all times be within the range of 6.5 and 8.5.

MONITORING AND REPORTING

Monitoring and reporting requirements are contained in Attachment C of the Limited Threat General Order. The Discharger is required to comply with the following specific monitoring and reporting requirements for the effluent Attachment C of the Limited Threat General Order.

Monitoring Locations – The Discharger shall monitor the effluent at the specified location as follows:

Table E-1. Monitoring Station Locations

Discharge Point Name	Monitoring Location Name	Monitoring Location Description
001	EFF-001	A location where a representative sample of the effluent can be collected prior to discharging to McIntire Creek (38° 56' 58" N, 122° 48' 8" W).

Effluent Monitoring – The Discharger shall monitor the effluent at EFF-001 as follows:

Table E-2. Effluent Monitoring

Parameter	Units	Sample Type	Minimum Sampling Frequency	Required Analytical Test Method
Total Flow	MGD	Estimate	1/Day	2,3
pH	standard units	Grab	1/Month	2,3
Turbidity	NTU	Grab	1/Month	2,3
Temperature	°F	Grab	1/Month	2,3
Dissolved Oxygen	mg/L	Grab	1/Month	2,3

² Pollutants shall be analyzed using the analytically methods described in 40 CRF Part 136 or by methods approved by the Central Valley Water Board or the State Water Board.

³ For priority pollutant constituents without effluent limitations, the detection limits shall be equal to or less than the lowest ML published in Appendix 4 of the SIP. A hand-held field meter may be used, provided the meter utilizes a USEPA-approved algorithm/method and is calibrated and maintained in accordance with the manufacturer's instructions. A calibration and maintenance log for each meter used for monitoring required by this Monitoring and Reporting Program shall be maintained at the Facility.

Receiving Water Monitoring – Receiving water monitoring is not required. Discharge from the North cell flows into the surface water drainage system of the Facility which contains runoff from other parts of the Facility before reaching a sedimentation basin prior to discharge to McIntire Creek. Receiving water monitoring would reflect the effects of the combined discharges and would not represent the effects of the discharge covered under this NOA. Therefore, compliance with receiving water limitations will be determined through effluent monitoring.

Monitoring Report Submittals - Monitoring in accordance with the Limited Threat General Order shall begin upon initiation of discharge. Monitoring reports shall be submitted to the Central Valley Water Board on a quarterly basis, beginning with the First Quarter 2017. This report shall be submitted on 1 May 2017. If monitoring samples were not obtained within 24 hours of initiation of the discharge, the Discharger must document the reasons in the corresponding monitoring report. If the discharge has not begun there is no need to monitor. However, a monitoring report must be submitted stating that there has been no discharge. Table E-4, below, summarizes the monitoring report due dates required under the Limited Threat General Order. Quarterly monitoring reports must be submitted until your coverage is formally terminated in accordance with the Limited Threat General Order, even if there is no discharge during the reporting quarter. Please use the enclosed Monitoring Report Transmittal Form when submitting monitoring reports.

Table E-4. Monitoring Periods and Reporting Schedule

Sampling Frequency	Monitoring Period Begins On...	Quarterly Report Due Date
1/Day, 1/Week, 1/Month, 1/Quarter	First Day of Discharge	1 May (1 Jan – 31 Mar) 1 Aug (1 Apr – 30 Jun) 1 Nov (1 Jul – 30 Sep) 1 Feb, of following year (1 Oct – 31 Dec)

GENERAL INFORMATION AND REQUIREMENTS

The Discharger must notify Central Valley Water Board staff within 24 hours of having knowledge of 1) the start of each new discharge, 2) noncompliance, and 3) when the discharge ceases. The Central Valley Water Board shall be notified immediately if any effluent limit violation is observed during implementation of the project.

Discharge of material other than what is described in the application is prohibited. The required annual fee (as specified in the annual billing you will receive from the State Water Resources Control Board) shall be submitted until this NOA is officially terminated. You must notify this office in writing when the discharge regulated by the Limited Threat General Order is no longer necessary. If a timely written request is not received, the Discharger will be required to pay additional annual fees as determined by the State Water Resources Control Board.

ENFORCEMENT

Failure to comply with the Limited Threat General Order may result in enforcement actions, which could include civil liability. Effluent limitation violations are subject to a Mandatory Minimum Penalty (MMP) of \$3,000 per violation. In addition, late monitoring reports may be subject to MMPs or discretionary penalties of up to \$1,000 per day late. When discharges do not occur during a quarterly report monitoring period, the Discharger must still submit a quarterly monitoring report indicating that no discharge occurred to avoid being subject to enforcement actions.

COMMUNICATION

All documents, including monitoring reports, response to inspections, written notifications, and documents submitted to comply with this NOA and the Limited Threat General Order, should be submitted to the NPDES Compliance unit, attention Genevieve Sparks. Ms. Sparks can be reached at (916) 464-4821 or Genevieve.Sparks@waterboards.ca.gov.

We have transitioned to a paperless office, therefore, please convert all documents to a searchable Portable Document Format (pdf) and email them to centralvalleysacramento@waterboards.ca.gov. Please include the following information in the email: Attention: NPDES Compliance section; Discharger: IT Environmental Liquidating Trust; Facility: Benson Ridge Facility; County: Lake; and the CIWQS place ID 209270 in the body of the email. Documents that are 50 megabytes or larger must be transferred to a DVD, or flash drive and mailed to our office, attention "ECM Mailroom-NPDES". Please include the attached Monitoring Report Transmittal Form as the first page of each monitoring report.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with California Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this NOA, except that if the

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Benson Ridge Facility

- 5 -

3 March 2017

thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the internet at: http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

Original Signed By Andrew Altevogt for

Pamela C. Creedon
Executive Officer

Enclosures: Monitoring Report Transmittal Form (Discharger only)
General Order R5-2016-0076 (Discharger only)

cc: David Smith, U.S. EPA, Region IX, San Francisco (email only)
Phil Isorena, Division of Water Quality, State Water Board, Sacramento (email only)