California Regional Water Quality Control Board
Central Valley Region

Terry Tamminen
Secretary for Environmental Protection

Redding Office
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http://www.swrcb.ca.gov/rwqcb5

Arnold Schwarzenegger
Governor

29 October 2004

CERTIFIED MAIL
7003 0500 0004 2775 3702

Mr. Michael Sommers
Winemucca Trading Company Limited, Inc.
P. O. Box 4261
Incline Village, NV 89450

CLEANUP AND ABATEMENT ORDER NO. R5-2004-0717, FORMER SHASTA PAPER COMPANY FACILITIES AND PROPERTIES: SHASTA PULP AND PAPER MILL WASTEWATER TREATMENT LAGOONS, SHASTA COUNTY

Enclosed is Cleanup and Abatement Order No. R5-2004-0717 for Winemucca Trading Company Limited, Inc., issued pursuant to Section 13304 of the California Water Code.

The Cleanup and Abatement Order directs Winemucca Trading Company Limited, Inc. to submit or perform the following items by:

- **26 November 2004** - a statement in writing agreeing to provide access to Regional Board staff and representatives;
- **28 January 2005** - a Storm Water Pollution Prevention Plan (SWPPP) for the Shasta Pulp and Paper Mill property;
- **28 January 2005** - remove and properly dispose of lime that is stored at the Shasta Pulp and Paper Mill site;
- **28 January 2005** - a management plan for controlling the water level in the treatment lagoons to prevent an uncontrolled overflow to Anderson Creek;
- **1 February 2005** - collect samples from all existing groundwater monitoring wells and water from the treatment lagoons and submit monitoring reports;
- **1 April 2005** - remove and properly dispose or recycle the material (dyes and other additives) that is stored in the warehouse at the Shasta Pulp and Paper Mill and chemicals associated with the treatment system at the mill site (chlorine, etc.);
- **1 April 2005** - remove and properly dispose of petroleum coke and black liquor sludge stored at the Shasta Pulp and Paper Mill;

- **1 April 2005** - sample and characterize the sludge from the following areas - the wastewater treatment lagoons and the holding basins and clarifiers at the Shasta Pulp and Paper Mill - and submit the results to the Regional Board;

- **1 April 2005** - a plan to properly dispose of the sludge in the wastewater treatment lagoons and the holding basins and clarifiers at the Shasta Pulp and Paper Mill and a plan to clean-close the holding basins and wastewater treatment lagoons pursuant to Title 27 California Code of Regulations Section 21400; and within 30 days of approval of the closure plan by the Executive Officer, implement the plan.

Failure to comply with the enclosed Cleanup and Abatement Order may result in further enforcement actions under the California Water Code, which allows for administrative civil liability up to a maximum of five thousand dollars ($5,000) to twenty five thousand dollars ($25,000) for each day of violation.

If you have any questions, please contact Nolan Randall of my staff at (530) 224-4801.

FOR THOMAS R. PINKOS
Executive Officer

NAR: sae

Enclosure

cc: See Attached

cc + enclosure : Regional Board Members
California Department of Fish and Game, Region 1, Redding
Mr. John Tinger, U.S. Environmental Protection Agency, Region 9, San Francisco
Frances McChesney, SWRCB, Sacramento
Betsy Jennings, SWRCB, Sacramento
Mark Bradley, SWRCB, Compliance Assurance & Enforcement Unit, Sacramento
Shasta County Environmental Health Department, Redding
Mr. Jack Reese, Reese, Smalley, Wiseman & Schweitzer, LLP

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

CLEANUP AND ABATEMENT ORDER NO. R5-2004-0717

FOR
WINEMUCCA TRADING COMPANY LIMITED, INC.

FORMER SHASTA PAPER COMPANY FACILITIES AND PROPERTIES:
SHASTA PULP AND PAPER MILL
WASTEWATER TREATMENT LAGOONS

SHASTA COUNTY

This Order is issued to Winemucca Trading Company Limited, Inc. based on provisions of California Water Code Section 13304, which authorizes the Regional Water Quality Control Board, Central Valley Region (hereafter Regional Board) to issue a Cleanup and Abatement Order. This Order requires cleanup of waste and abatement actions with respect to the Shasta Pulp and Paper Mill and treatment lagoons and related properties as more fully described below.

The Executive Officer of the Regional Board finds that with respect to Winemucca Trading Company Limited, Inc. (Discharger) the following:

INTRODUCTION

1. Simpson Paper Company was the former owner and operator of a paper manufacturing facility (Shasta Pulp and Paper Mill) in Anderson, Shasta County. Wastewater from the paper mill was treated in the industrial wastewater treatment system and discharged to the Sacramento River and applied to land under the authority of the National Pollutant Discharge Elimination System (NPDES) Permit No. CA0004065. Paper pulp sludge wastes generated during the manufacture of paper were discharged to the Twin Bridges Landfill, owned and operated by Simpson Paper Company. Leachate from the Twin Bridges Landfill was discharged back to treatment lagoons at the mill property. The location of each of these properties is shown on Attachment A, which is attached hereto and made part of this Order.

2. On 11 January 1999, the Regional Board was notified that Shasta Acquisition, Inc. had purchased the Shasta Pulp and Paper Mill (which includes the Wastewater Treatment Lagoons), Twin Bridges Landfill, and the Shasta Ranch property, all formerly owned by Simpson Paper Company. The notice further stated that Shasta Acquisition, Inc. would be doing business as Plainwell Paper Shasta Paper Company.

3. On 31 October 2001, Plainwell Paper Shasta Paper Company filed for bankruptcy. Written notification of the bankruptcy filing dated 5 November 2001 was submitted on 3 April 2002. The bankruptcy was assigned Case No. 01-32653-B-7 in the United States Bankruptcy Court for the Eastern District of California, Sacramento Division.

4. On 17 September 2003, the *Order Approving Settlement Agreement And Mutual Release of Claims Between The Estate And Congress Financial Corporation* for Bankruptcy Case No. 01-32653-B-7 was issued in United States Bankruptcy Court for the Eastern District of California, Sacramento Division. Congress Financial Corporation, senior secured creditor of Shasta Paper Company controlled and/or owned the property listed in Finding No. 2 above.

5. On 9 February 2004, the Executive Officer issued Cleanup and Abatement Order No. R5-2004-0700 to Simpson Paper Company and Congress Financial Corporation requiring them to cleanup and abate wastes that have been discharged or are threatened to be discharged at the Shasta Pulp and Paper Mill, Shasta Ranch, and Twin Bridges Landfill. This Order was issued because Plainwell Paper Shasta Paper Company was no longer a viable responsible party after settlements were approved through the bankruptcy court as detailed in Finding 4 above.

6. On 20 May 2004, Congress Financial Corporation sold at auction the Shasta Pulp and Paper Mill, at 21091 Hawes Road, Anderson, Assessor Parcel Nos. 090-140-007, 090-140-008, 090-150-001, 090-150-008, 090-150-009, 090-150-010, 090-150-011, 090-150-012, 090-160-010, 090-170-001, 090-170-004, 090-170-005, 090-170-007, and 090-170-008. Congress Financial also sold at auction the wastewater treatment lagoons across Hawes Road north of the mill property, Assessor Parcel Nos. 090-100-004 and 090-090-008. Winemucca Trading Company Limited, Inc. purchased the properties at the auction and is the current owner of the parcels described above.

7. Winemucca Trading Company Limited, Inc. is responsible pursuant to California Water Code section 13304 to cleanup the waste and abate the discharges of waste at Shasta Pulp and Paper Mill and treatment lagoons and the wastewater treatment lagoons across Hawes Road north of the mill property. The information available to the public and prospective purchasers prior to the sale of these properties provided notice that the properties had discharges of waste and were subject to Order No. R5-2004-0700. The new owners had knowledge of the discharges of waste prior to purchase and as owners are responsible for the waste on the property.

BACKGROUND

8 Kimberly-Clark, Inc. bought the property and developed the pulp and paper mill in 1964. Simpson Paper Company purchased the mill in 1973. Shasta Paper

Company began operation of the mill in 1999. The Shasta Mill consisted of a bleached kraft pulp mill, which used wood chips to produce paper pulp, and the paper mill that produced fine and coated paper made from this pulp plus imported pulp.

9. Wastewater was generated from both the paper mill and the pulp mill. The pulp mill wastewater contained chlorinated organic compounds such as guaiacols, catechols, and syringols, also known as adsorbable organic halides (AOX), as well as polychlorinated di-benzo dioxins and di-benzo furans, from the pulping and bleaching processes. The wastewater from the paper mill was high in solids. These waste streams combined with a small amount of effluent from the domestic wastewater treatment plant and flowed to the industrial wastewater treatment system.

10. The industrial wastewater treatment system consisted of holding basins and clarifiers on the mill property and treatment lagoons on the property located across Hawes Road from the mill property.

11. In the past (prior to 1993), storm water runoff was periodically discharged into a drainage course tributary to Anderson Creek. The most recent discharge from this point occurred in January 1993. Prior to the 1993 discharge, the most recent discharge had been in the winter of 1986. This storm water discharge was diverted to the wastewater treatment plant to eliminate storm water discharges, which could contain process waste. The primary storm water discharge gate valve has been welded shut. There are still some minor discharges of storm water that were managed under Shasta Paper Company's Storm Water Pollution Prevention Plan, but they do not contain process water. Storm water discharge was covered by Order No. R5-00-082 (NPDES No. CA0004065), described in Finding No. 13 below.

12. Following the bankruptcy of Shasta Paper Co. the major equipment and most of the materials at the mill were sold. There are some chemicals (dyes and other additives for the paper making process) that remain in a warehouse on the mill site in addition to a stockpile of lime also at the mill site. Most of the tanks on the mill site have been emptied. Two tanks that contain lime, one other tank that contains petroleum coke, and the Black Liquor tank with 3 to 4 feet of sludge remain at the mill site. Simpson Paper Company has previously identified this sludge in the Black Liquor tank as a hazardous waste.

13. Simpson Paper Company submitted a Report of Waste Discharge, dated 25 February 1998, and applied for a permit renewal to discharge waste under the National Pollutant Discharge Elimination System (NPDES). On 8 January 1999, the mill was purchased by Shasta Acquisitions, Inc., which was renamed Shasta Paper Company, Inc. Order No. R5-00-082 (NPDES No. CA0004065) was issued to Shasta Paper Company, Inc. on 28 April 2000 for discharge of storm water from the mill site and discharge of treated wastewater from the treatment

lagoons to the Sacramento River and to land at the Shasta Ranch property. The current conditions of the property are substantially different than the conditions described in the Report of Waste Discharge that was used to develop current WDR Order No. R5-00-082 (NPDES Permit No. CA0004065) and therefore Order No. R5-00-082 is being rescinded and will be replaced with an appropriate order.

14. Prior to 31 August 2001, an average of 10.81 million gallons per day (mgd) of treated process and domestic wastewater from the treatment plant was discharged to the Sacramento River and applied to land at the Shasta Ranch under the authority of the National Pollutant Discharge Elimination System (NPDES) Permit No. CA0004065. On 31 August 2001 a blind flange was installed in the line blocking discharges to the river while still allowing discharges of effluent to land at the Shasta Ranch. At the ranch the effluent was used for irrigation of trees and crops.

15. Wastewater from the pulp mill and from the paper mill was first treated in clarifiers for primary solids removal. The clarifier solids were dewatered with a screw press and then taken to the Twin Bridges Landfill. Holding basins were used to even out the solids loading to the clarifiers. After clarification, the wastewater was discharged to two treatment lagoons equipped with mechanical aerators. The lagoons were operated in series with an average residence time of approximately 7 days at average plant effluent flow. The combined lagoon area is approximately 25 acres.

16. Process water is no longer being generated, but storm water from the site still flows to the treatment lagoons.

17. The holding basins contain some sludge and the first aerated treatment lagoon is nearly full of sludge. The aerators in both treatment lagoons are no longer being operated. There is an overflow pipe from the second treatment lagoon that leads to Anderson Creek.

18. The last monthly facility monitoring report, submitted on 15 August 2003 (in accordance with Waste Discharge Requirements Order No. R5-00-082), was for data collected during July 2003. The last quarterly groundwater sampling for the treatment lagoons, submitted with the 2002 annual report on 31 January 2003, was for data collected during November 2002. Site monitoring required pursuant to Revised Monitoring and Reporting Program Order No. R5-00-082 ceased after submittal of the July 2003 monthly and 2002 annual reports.

19. The Discharger is responsible for the discharges of waste at the property. This Order requires the Discharger to provide access to the site for Regional Board staff, submit a Storm Water Pollution Prevention Plan, remove and properly dispose of various materials at the site, prevent an uncontrolled overflow of the treatment lagoons, collect and analyze samples from groundwater monitoring

wells and water from the treatment lagoons, and properly close the holding basins and wastewater treatment lagoons.

AUTHORITY – LEGAL REQUIREMENTS

20. The *Water Quality Control Plan for the Sacramento and San Joaquin River Basins, Fourth Edition* (hereafter Basin Plan), designates beneficial uses, establishes water quality objectives, contains implementation plans and policies for protecting waters of the basin, and incorporates by reference plans and policies adopted by the State Water Resources Control Board (State Board). The Basin Plan identifies the beneficial uses applicable to the Sacramento River, Anderson Creek, and their tributaries. The listed existing or potential beneficial uses are domestic, municipal, agricultural and industrial supply; power generation; recreation; navigation; and preservation and enhancement of fish, wildlife, and other aquatic resources.

21. The Basin Plan water quality objectives for surface and ground water include the "Chemical Constituents Objective", which states, in part, that "waters designated for use as domestic or municipal supply (MUN) shall not contain concentrations of *chemical* constituents in excess of the maximum contaminant levels (MCLs)" (i.e., state drinking water standards); and a narrative objective that states "All waters shall be maintained free of toxic substances in concentrations that produce detrimental physiological responses in human, plant, animal, or aquatic life. . .". The Basin Plan contains implementation policies, including the "Policy for Application of Water Quality Objectives". That Policy specifies, among other things, how to implement narrative water quality objectives. The Regional Board considers standards and criteria issued by other appropriate agencies, such as the United States Environmental Protection Agency, in applying narrative objectives. The chemical constituents at the Shasta Pulp and Paper Mill site, and the Wastewater Treatment Lagoons that exceed water quality objectives in the Basin Plan, if discharged to surface or ground water, may cause or contribute to exceedances of water quality objectives.

22. *Section* 13304(a) of the California Water Code provides that:

> "Any person who has discharged or discharges waste into waters of this state in violation of any waste discharge requirements or other order or prohibition issued by a regional board or the state board, or who has caused or permitted, causes or permits, or threatens to cause or permit any waste to be discharged where it is, or probably will be, discharged into the waters of the State and creates, or threatens to create, a condition of pollution or nuisance, shall upon order of the regional board clean up such waste or abate the effects thereof or, in the case of threatened pollution or nuisance, take other necessary remedial action. Upon failure of any person to comply with such cleanup and abatement order, the Attorney General, at the request of the board, shall petition the superior court for that county for the issuance of an injunction requiring the person to comply with the order. In the suit, the court shall have jurisdiction to grant a prohibitory or mandatory injunction, either preliminary or permanent, as the facts may warrant."

23. *Section* 13304(c)(1) of the California Water Code provides that:

"If the waste is cleaned up or the effects of the waste are abated, or, in the case of threatened pollution or nuisance, other necessary remedial action is taken by any governmental agency, the person or persons who discharged the waste, discharges the waste, or threatened to cause or permit the discharge of waste within the meaning of subdivision (a), are liable to that governmental agency to the extent of the reasonable costs actually incurred in cleaning up the waste, abating the effects of the waste, supervising the cleanup or abatement activities, or taking other remedial action. The amount of the costs is recoverable in a civil action by, and paid to, the governmental agency and state board to the extent of the latter's contribution to the cleanup costs from the State Water Pollution and Abatement Account or other available funds."

24. *Section* 13267(b) of the California Water Code provides that:

"In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste outside of its region that could affect the quality of waters of the state within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports."

25. *Section* 13260(a) of the California Water Code provides in part that:

"All of the following persons shall file with the appropriate regional board a report of the discharge, containing the information which may be required by the regional board: (1) Any person discharging waste, or proposing to discharge waste, within any region that could affect the quality of the waters of the state, other than into a community sewer system."

26. The Discharger has caused or permitted, and/or threatens to cause or permit waste to be discharged where it is, or probably will be, discharged into the waters of the State and that creates, and threatens to create, a condition of pollution or nuisance. The Discharger has control over the Shasta Pulp and Paper Mill and the Wastewater Treatment Lagoons, including control over access to the property and the ability to comply with the applicable requirements. The site has caused and threatens to cause pollution and nuisance as follows:

a. **Shasta Pulp and Paper Mill.** Materials and black liquor sludge determined to be a hazardous waste are stored at various locations at the mill site. With no maintenance and monitoring the potential exists for vandals to release the stored materials and sludge causing pollution of the

local drainages including Anderson Creek and the Sacramento River. A discharge such as this would be a violation of California Water Code Section 13260 and could cause or contribute to a condition of pollution. The holding basins at the mill site also contain paper pulp sludge that is likely to create offensive odors without treatment. The Regional Board has received odor complaints in the past from residents near the Shasta Pulp and Paper Mill. This sludge must be sampled, characterized for disposal, and removed from the site or nuisance conditions are likely to be created.

b. **Wastewater Treatment Lagoons.** The aerated treatment lagoons at the wastewater treatment facility contain a large quantity of sludge. Without aeration in the treatment lagoons, the sludge is likely to generate odors creating nuisance conditions for the adjacent property owners and others in the vicinity of the lagoons. The Regional Board has received odor complaints in the past from residents near the treatment lagoons. Additionally, if storm water from the Shasta Mill site continues to discharge to the Wastewater Treatment Lagoons, the treatment lagoons will fill. If the lagoons overflow to Anderson Creek this would be a violation of California Water Code Section 13260 and could cause or contribute to violations of water quality objectives. Following the closure of the Shasta Mill, the wastewater treatment system has not been operated, maintained nor monitored. Failure to monitor the site may result in a failure to detect releases of waste to waters of the state and the discovery of pollution .

27. The information and actions required by this Order are necessary to abate a threatened condition of pollution and nuisance and to prevent a new condition of pollution or nuisance as defined by the California Water Code. As the new owner, Winemucca Trading Company Limited, Inc., currently controls the properties in Finding No.7.

28. The issuance of this Order is an enforcement action taken by a regulatory agency and is exempt from the provisions of the California Environmental Quality Act, pursuant to Section 15321(a)(2), Title 14, California Code of Regulations.

29. Any person adversely affected by this action of the Regional Board may petition the State Board to review the action in accordance with Section 2050 through 2068, Title 23, California Code of Regulations. The petition must be received by the State Board within 30 days of the date of this Order. Copies of the law and regulations applicable to filing petitions may be found on the Internet at http://www.waterboards.ca.gov/wqpetitions/wqpetition_instr.html or will be provided upon request.

IT IS HEREBY ORDERED THAT, pursuant to Sections 13267 and 13304 of the California Water Code, that Winemucca Trading Company Limited, Inc. (hereafter referred to as "Discharger") shall:

1. Provide access to Regional Board staff and representatives in order to conduct inspections, assure compliance with this Order and other applicable Orders of the Regional Board, and take other actions as necessary to implement the California Water Code, Division 7.

2. **By 26 November 2004**, submit to the Regional Board a statement in writing agreeing to provide access as specified in the above paragraph 1 of this Order.

3. **By 28 January 2005**, submit to the Regional Board a Storm Water Pollution Prevention Plan (SWPPP) for the Shasta Pulp and Paper Mill property in accordance with Attachment B, which is attached hereto and a part of this Order by reference.

4. **By 28 January 2005**, remove and properly dispose of lime that is stored at the Shasta Pulp and Paper Mill site (some stockpiled and some stored in tanks). Disposal method must be approved by the Executive Officer.

5. **By 28 January 2005**, submit to the Regional Board a management plan for controlling the water level in the treatment lagoons to prevent an uncontrolled overflow to Anderson Creek. Beginning immediately, manage the treatment lagoons to maintain at least two feet of freeboard at all times.

6. **By 1 February 2005**, collect samples from all existing groundwater monitoring wells and water from the treatment lagoons. Analyze samples from the monitoring wells for constituents listed for Groundwater Monitoring in Attachment C, Monitoring and Reporting Program, included as a part of this order. Analyze water samples from the treatment lagoons for constituents listed for Treatment Lagoon Effluent Monitoring in Attachment C. Submit monitoring reports to the Regional Board as described in Attachment C. Continue to sample the groundwater monitoring wells and report analytical results in accordance with Attachment C. The first sampling event shall be that conducted to meet the requirements of this provision (prior to 1 February 2005), subsequent sampling events shall continue annually from that point.

7. If discharge occurs from the treatment lagoons notify the Regional Board by phone within 24 hours and sample effluent and analyze samples in accordance with Treatment Lagoon Effluent Monitoring section of Attachment C. Submit monitoring reports to the Regional Board in accordance with Attachment C.

8. **By 1 April 2005**, remove and properly dispose or recycle the material (dyes and other additives) that is stored in the warehouse at the Shasta Pulp and Paper Mill

and chemicals associated with the treatment system at the mill site (chlorine, etc.). Disposal method must be approved by the Executive Officer.

9. **By 1 April 2005**, remove and properly dispose of petroleum coke and black liquor sludge stored at the Shasta Pulp and Paper Mill. Disposal method must be approved by the Executive Officer.

10. **By 1 April 2005**, sample and characterize the sludge from the following areas - the wastewater treatment lagoons and the holding basins and clarifiers at the Shasta Pulp and Paper Mill - and submit the results to the Regional Board.

11. **By 1 April 2005, submit** a plan to the Regional Board to properly dispose of the sludge in the wastewater treatment lagoons and the holding basins and clarifiers at the Shasta Pulp and Paper Mill and a plan to clean-close the holding basins and wastewater treatment lagoons pursuant to Title 27 California Code of Regulations Section 21400. The plans shall include an implementation schedule with a defined date of when the disposal of sludge and closure of the wastewater treatment lagoons and holding basins will be complete, but the final completion date shall be no later than **1 October 2006**. The closure plan and disposal method must be approved by the Executive Officer.

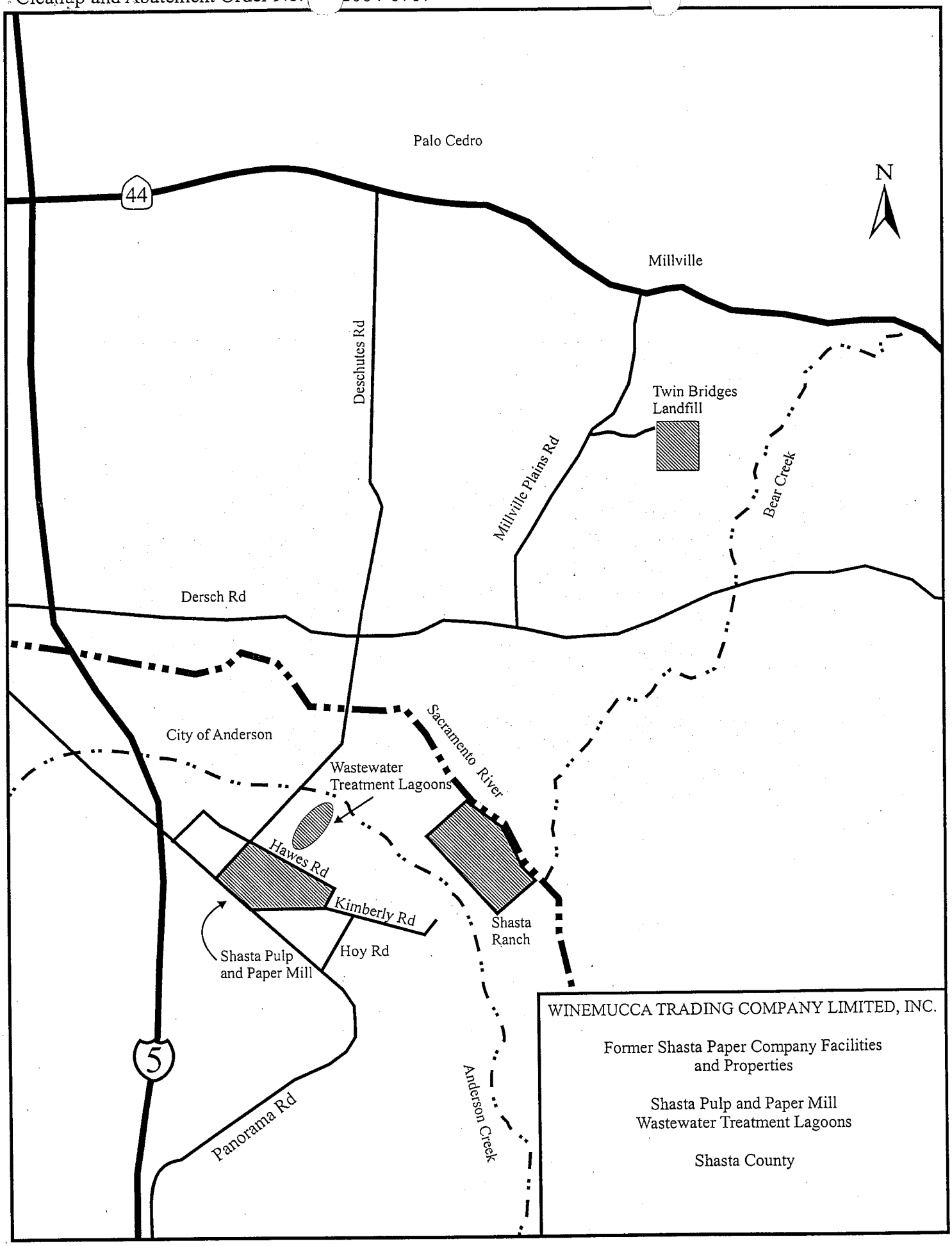
12. Within **30 days** of approval of the closure plan by the Executive Officer, implement the plan.

THOMAS R. PINKOS, Executive Officer

By: James C. Pedri, Assistant Executive Officer

29 October 2004
(Date)

NAR: sae


Palo Cedro
44
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Millville
Deschutes Rd
Twin Bridges
Landfill
Millville Plains Rd
Bear Creek
Dersch Rd
City of Anderson
Sacramento River
Wastewater
Treatment Lagoons
Hawes Rd
Kimberly Rd
Shasta
Ranch
Shasta Pulp
and Paper Mill
Hoy Rd
5
Panorama Rd
Anderson Creek
WINEMUCCA TRADING COMPANY LIMITED, INC.
Former Shasta Paper Company Facilities
and Properties
Shasta Pulp and Paper Mill
Wastewater Treatment Lagoons
Shasta County

ATTACHMENT B
CLEANUP AND ABATEMENT ORDER NO. R5-2004-0717
WINEMUCCA TRADING COMPANY LIMITED, INC.
SHASTA COUNTY

STORM WATER POLLUTION PREVENTION PLAN

1. The Discharger shall develop and implement a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall be designed to (1) identify and evaluate sources of pollutants associated with industrial activities that may affect the quality of storm water discharges and authorized non-storm water discharges from the facility; and (2) identify and implement site specific best management practices (BMPs) to reduce or prevent pollutants associated with industrial activities in storm water discharges and authorized non-storm water discharges..

2. The SWPPP shall include a site map containing the following information:

   a. The facility boundaries; the outline of all storm water drainage areas within the facility boundaries; portions of the drainage area impacted by run-on from surrounding areas; and direction of flow of each drainage area, on-site water bodies, and areas of soil erosion. The map shall also identify nearby water bodies where the facility's storm water discharges and authorized non-storm water discharges may be received.

   b. The location of the storm water collection and conveyance system, associated points of discharge, and direction of flow. Include any structural control measures that affect storm water discharges, authorized non-storm water discharges, and run-on.

   c. An outline of all impervious areas of the facility, including paved areas, buildings, covered storage areas, and other roofed structures.

   d. Locations where materials are directly exposed to precipitation and the locations where significant spills have occurred.

   e. Areas of industrial activity. This shall include the locations of all storage areas and storage tanks, shipping and receiving areas, fueling areas, vehicle and equipment storage/maintenance areas, material handling and processing areas, waste treatment and disposal areas, dust or particulate generating areas, cleaning and rinsing areas, and other areas of industrial activity which are potential pollution sources.

3. The SWPPP shall include a list of significant materials handled and the locations where these materials are stored at the site.

4. The SWPPP shall provide a description of potential sources which may be expected to add significant quantities of pollutants to storm water discharges, or which may result in non-storm water discharges from the facility.

5. The SWPPP shall contain a list of the significant spills or leaks of toxic or hazardous pollutants that have occurred after 17 April 1994. Include toxic chemicals (listed in 40 CFR, Part 302) that have been discharged to storm water as reported on USEPA Form R and oil or

hazardous substances in excess or reportable quantities (see 40 CFR, Part 110, 117, or 302).

6. The SWPPP shall describe the non-structural BMP's for the facility. The appropriate controls shall reflect identified potential sources of pollutants at the facility. The non-structural BMP's that should be considered are:

   a. Storm Water Pollution Prevention Personnel - Identify specific individuals (and their job titles) who are responsible for SWPPP implementation and revision, and conducting all monitoring program activities.

   b. Preventive Maintenance - Preventive maintenance includes regular inspection and maintenance of structural storm water controls (oil/water separators, catch basins, etc.) and inspection and testing of plant equipment and systems that could fail and result in discharges of pollutants to storm water.

   c. Good Housekeeping - Good housekeeping consists of practical procedures to maintain a clean and orderly facility.

   d. Spill Prevention and Response - Identification of areas where significant materials can spill into or otherwise enter the storm water conveyance systems. Specific material handling procedures, storage requirements, and clean-up equipment procedures should be identified. Internal reporting procedures for spills of significant materials shall be established.

   e. Material Handling and Storage - Procedures to minimize the potential for spills and leaks and to minimize exposure of significant materials to storm water and authorized non-storm water discharges.

   f. Erosion and Sediment Control - Identify measures to reduce erosion and discharge of sediment in storm water.

   g. Employee Training - Employee training programs shall target all personnel responsible for implementing the SWPPP. Training should address spill response, good housekeeping, material management practices, inspections, and maintenance and repair measures. Periodic dates for training should be identified.

   h. Waste Handling/Recycling - Procedures or processes to handle, store, or dispose of waste materials or recyclable materials.

   i. Inspections - All inspections, visual observations, and sampling as required in the Monitoring and Reporting Program, shall be done by trained personnel. A tracking or follow-up procedure shall be used to ensure appropriate action has been taken in response to the inspections.

7. Where non-structural BMPs are not effective, structural BMPs shall be considered, including:

a. Overhead Coverage - This includes structures that provide coverage of materials, chemicals, and pollutant sources from contact with storm water and authorized non-storm water discharges.

b. Retention Ponds - This includes basins, ponds, surface impoundments, bermed areas, etc., that do not allow storm water to discharge from the facility.

c. Control Devices - This includes berms or other devices that channel or route run-on and runoff away from pollutant sources.

d. Secondary Containment Structures - This generally includes containment structures around storage tanks and other areas for the purpose of collecting any leaks or spills.

e. Treatment - This includes inlet controls, infiltration devices, oil/water separators, detention ponds, vegetative swales, etc., that reduce the pollutants in storm water discharges and authorized non-storm water discharges.

8. The SWPPP shall include the signature and title of the person responsible for preparation of the SWPPP and include the date of initial preparation and each amendment, thereto.

9. The SWPPP shall be retained on-site and made available upon request of a representative of the Regional Board.

10. The Regional Board may notify the Discharger when the SWPPP does not meet one or more of the minimum requirements of this section. As requested by the Regional Board, the Discharger shall submit a SWPPP revision and implementation schedule to achieve compliance. Within 14 days after implementing the required SWPPP, the Discharger shall provide written certification that the revisions have been made.

11. The Discharger shall amend the SWPPP whenever there is a change in industrial activities, operation, or maintenance which may effect the discharge of significant quantities of pollutants to surface water, groundwater, or the local agency's storm drain system. The SWPPP should also be amended if it is in violation of conditions of the attached permit, or has not achieved the general objectives of controlling pollutants in the discharges.

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

ATTACHMENT C
MONITORING AND REPORTING PROGRAM NO. R5-2004-0717

FOR
WINEMUCCA TRADING COMPANY LIMITED, INC.
FORMER SHASTA PAPER COMPANY FACILITIES AND PROPERTIES:
SHASTA PULP AND PAPER MILL
WASTEWATER TREATMENT LAGOONS

SHASTA COUNTY

Compliance with this Monitoring and Reporting Program and with the "Standard Provisions and Reporting Requirements for Waste Discharge Requirements (NPDES)," dated February 2004, which are part of this Order, is ordered by Cleanup and Abatement Order No. R5-2004-0717. The Discharger's failure to comply with this Program and with the Standard Provisions and Reporting Requirements, constitutes noncompliance with the Order and with the California Water Code, and may result in the imposition of civil monetary liability or other enforcement actions.

TREATMENT LAGOON EFFLUENT MONITORING SCHEDULE

The Discharger shall monitor the effluent if there is any discharge to surface water from the treatment lagoons. The following table shall constitute the effluent monitoring program in the event that there is a surface water discharge from the treatment lagoons:

Constituent	Unit	Type of Sample	Sampling Frequency
Specific Conductance	µmhos/cm	Grab	1 per Week
pH	pH units	Grab	1 per Week
Flow	mgd	Estimate	Daily
BOD[a]	mg/L	Grab	1 per Week
Dioxin Toxic Equivalent[b]	pg/L	Grab	1 per discharge event
Suspended Solids	mg/L	Grab	1 per Week

[a] 5-Day, 20°C Biochemical Oxygen Demand.

[b] See Groundwater Monitoring Schedule below for definition.

GROUNDWATER MONITORING SCHEDULE

The Discharger shall collect grab samples from the three monitoring wells at the treatment lagoons and monitor according to the following:

Constituent	Unit	Sampling Frequency
Chlorides	mg/L	Annually
Sodium	mg/L	Annually
Electrical Conductivity	umhos/cm	Annually
Chemical Oxygen Demand	mg/L	Annually
Dioxin Toxic Equivalent	pg/L	Annually

The dioxin toxic equivalent is defined as the sum of the concentrations of chlorinated dibenzodioxins (CDDs) and chlorinated dibenzofurans (CDFs) multiplied by their respective toxicity equivalence factors as shown in the following table (using the World Health Organization toxicity factors):

Isomer Group	Toxicity Equivalence Factor
2,3,7,8-TCDD	1.0
1,2,3,7,8-PeCDD	1.0
1,2,3,4,7,8-HxCDD	0.1
1,2,3,6,7,8-HxCDD	0.1
1,2,3,7,8,9-HxCDD	0.1
1,2,3,4,6,7,8-HpCDD	0.01
1,2,3,4,6,7,8,9-OCDD	0.0001
2,3,7,8-TCDF	0.1
1,2,3,7,8-PeCDF	0.05
2,3,4,7,8-PeCDF	0.5
1,2,3,4,7,8-HxCDF	0.1
1,2,3,6,7,8-HxCDF	0.1
1,2,3,7,8,9-HxCDF	0.1
2,3,4,6,7,8-HxCDF	0.1
1,2,3,4,6,7,8-HpCDF	0.01
1,2,3,4,7,8,9-HpCDF	0.01
1,2,3,4,6,7,8,9-OCDF	0.0001

Dioxins and furans shall be analyzed by Method 1613. Analysis for the dioxin congeners shall be performed using High Resolution Mass Spectrometry.

REPORTING

The Discharger shall report monitoring data and information as required in this Monitoring and Reporting Program and as required in the Standard Provisions and Reporting Requirements. Reports that do not comply with the required format will be rejected and the Discharger shall be deemed to be in noncompliance with the Order.

In reporting the monitoring data, the Discharger shall arrange the data in tabular form so that the date, the constituents, the concentrations, and the units are readily discernible. The data shall be summarized in such a manner so as to clearly illustrate compliance with the Order or lack thereof. A short discussion of the monitoring results, including notations of any water quality violations, shall precede the tabular summaries.

Method detection limits and practical quantitation limits shall be reported.

The Discharger shall submit reports of the results of monitoring conducted in accordance with the schedules specified in this Monitoring and Reporting Program **by the last day of the second month following the month the monitoring was performed**.

The Discharger shall implement the above monitoring program on the effective date of this Order.

THOMAS R. PINKOS, Executive Officer

By: James C. Pedri, Assistant Executive Officer

29 October 2004
(Date)

NAR: sae

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