



Matthew Rodriguez  
Secretary for  
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## California Regional Water Quality Control Board Lahontan Region

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Edmund G. Brown Jr.  
Governor

December 15, 2011

Tom Wilson, Director  
Remediation Program  
Pacific Gas and Electric Company  
3401 Crow Canyon Road  
San Ramon, CA 94583

### **INVESTIGATIVE ORDER R6V-2011-0104 FOR WELL INFORMATION, PG&E COMPRESSOR STATION, HINKLEY, SAN BERNARDINO**

This investigative order requires PG&E to provide a technical report concerning wells installed for evaluating chromium contamination from the Hinkley Compressor Station. This investigative order is issued pursuant to California Water Code section 13267.

#### **Background**

The Lahontan Regional Water Quality Control Board (Water Board) Investigative Order No. R6V-2011-0043 (Order) requires PG&E to define the lateral and vertical limits of chromium contamination in the upper aquifer. In compliance with the Order, PG&E's consultant, Stantec, submitted a technical report on September 1, 2011 describing a groundwater investigation and the results of chromium detections. Because the extent of chromium at concentrations above background levels were not fully defined to the north, east, and west, the report proposed additional sampling locations to define plume boundaries. Water Board staff provided comments on the proposed additional investigation in an electronic message on October 5, 2011.

#### **Hinkley Public Meeting**

At the December 8, 2011 public meeting in Hinkley (where PG&E representatives were in attendance), certain residents complained that their domestic wells were being affected by PG&E's well drilling program. Some residents stated that rust-colored water was being pulled into their wells, while others stated that their wells were dry and no water was available for domestic uses. Residents questioned whether recently installed monitoring wells or other wells located nearby were drying up the aquifer (such as during development) or whether drilling muds were adversely affecting the aquifer formation. The residents making the complaints are primarily located in the northern

portion of the plume, north of Thompson Road, where PG&E is currently installing wells. Affected domestic wells exist in both the upper and lower aquifers.

This investigative order seeks information from PG&E to address whether PG&E's cleanup and containment activities in the northern plume area are potentially affecting the upper and lower aquifers used for domestic supply.

### Requirements

Pursuant to section 13267 of the Water Code, PG&E is hereby required to submit a technical report to the Water Board by January 5, 2012 that includes the following items:

1. A detailed description of drilling activities and methods used in the northern plume area, from Thompson Road and north.
2. Description and amount of any chemicals or compounds injected into either aquifer.
3. A narrative of well development activities, including pump size, volume extracted or injected, storage and fate of extracted water, monitoring parameters collected, and length of time.
4. A description of the diameter and depth of wells being installed and screen length and depth. State the aquifer that wells are being installed.
5. For the Sonoma Street and Mountain View Road areas, calculate the radius of influence for injected chemicals or compounds, if used, and well development actions.
6. State whether recent well installation, development, or sampling activities conducted since October 1, 2011 differ with similar activities described in the September 1, 2011 document, *Delineation of Chromium in the Upper Aquifer*.
7. Provide a map showing all wells installed by PG&E since October 1, 2011 and the location of all existing domestic and agricultural wells.
8. Attach the well designs in PG&E's possession for domestic and agricultural wells in the northern plume area, from Thompson Road and north.
9. Stamp and signature of a California licensed geologist or civil engineer.
10. Any additional information you can provide that addresses the residents' concerns about their wells drying up, the rust-colored water some are seeing, and whether drilling mud or other injected materials may be affecting their wells.

These technical reports required by this Order are necessary to investigate the water quality in the Hinkley basin during PG&E's ongoing cleanup of the hexavalent chromium pursuant to Cleanup and Abatement Order No. R6V-2008-0002. The need for this information outweighs the burden on PG&E to produce the information it already possesses, including the costs to produce the technical reports.

Any failure to furnish the required technical or monitoring reports subjects PG&E up to \$1,000 a day in administrative civil liability for each violation pursuant to Water Code section 13268.

Tom Wilson

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Please contact me at 542-5436 or Lisa Dernbach at (530) 542-5424 and ldernbach@waterboards.ca.gov, if you have any questions.



For: LAURI KEMPER  
ASSISTANT EXECUTIVE OFFICER

Enclosure: Section 13267 Fact Sheet

cc: PG&E-Hinkley Technical Mailing list and lyris list (and web posting)

LSD/clhT: PG&E well installation complaint 12-11  
Send to file: WDID No. 6B369107001 (VVL)



**Fact Sheet – Requirements for Submitting Technical Reports  
Under Section 13267 of the California Water Code**

October 8, 2008

**What does it mean when the regional water board requires a technical report?**

Section 13267<sup>1</sup> of the California Water Code provides that "...the regional board may require that any person who has discharged, discharges, or who is suspected of having discharged...waste that could affect the quality of waters...shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires".

**This requirement for a technical report seems to mean that I am guilty of something, or at least responsible for cleaning something up. What if that is not so?**

Providing the required information in a technical report is not an admission of guilt or responsibility. However, the information provided can be used by the regional water board to clarify whether a given party has responsibility.

**Are there limits to what the regional water board can ask for?**

Yes. The information required must relate to an actual or suspected discharge of waste, and the burden of compliance must bear a reasonable relationship to the need for the report and the benefits obtained. The regional water board is required to explain the reasons for its request.

**What if I can provide the information, but not by the date specified?**

A time extension can be given for good cause. Your request should be submitted in writing, giving reasons. A request for a time extension should be made as soon as it is apparent that additional time will be needed and preferably before the due date for the information.

**Are there penalties if I don't comply?**

Depending on the situation, the regional water board can impose a fine of up to \$1,000 per day, and a court can impose fines of up to \$25,000 per day as well as criminal penalties. A person who submits false information is guilty of a misdemeanor and may be fined as well.

**What if I disagree with the 13267 requirement and the regional water board staff will not change the requirement and/or date to comply?**

Any person aggrieved by this action of the Regional Water Board may petition the State Water Board to review the action in accordance with 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 the Order, except that if the 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](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) or will be provided upon request.

**Claim of Copyright or other Protection**

Any and all reports and other documents submitted to the Regional Board pursuant to this request will need to be copied for some or all of the following reasons: 1) normal internal use of the document, including staff copies, record copies, copies for Board members and agenda packets, 2) any further proceedings of the Regional Board and the State Water Resources Control Board, 3) any court proceeding that may involve the document, and 4) any copies requested by members of the public pursuant to the Public Records Act or other legal proceeding.

If the discharger or its contractor claims any copyright or other protection, the submittal must include a notice, and the notice will accompany all documents copied for the reasons stated above. If copyright protection for a submitted document is claimed, failure to expressly grant permission for the copying stated above will render the document unusable for the Regional Board's purposes, and will result in the document being returned to the discharger as if the task had not been completed.

**If I have more questions, who do I ask?**

Requirements for technical reports normally indicate the name, telephone number, and email address of the regional water board staff person involved at the end of the letter.

<sup>1</sup> All code sections referenced herein can be found by going to [www.leginfo.ca.gov](http://www.leginfo.ca.gov). Copies of the regulations cited are available from the Regional Board upon request.

