



Searles Valley Minerals

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13200 Main St., Trona, CA 93562-1995
P.O. Box 367, Trona, CA 93592-0367
760.372.4311

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December 20, 2005

Craig J. Wilson
Division of Water Quality -- TMDL Listing Unit
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

Subj: Section 303(d) List, Searles Lake

Dear Mr. Wilson:

The September 2005 Fact Sheets supporting Revision of the Section 303(d) List for California Regional Water Quality Control Boards Region 6 recommends that Searles Lake be placed on the 2006 Section 303(d) List. Searles Lake is being considered for the 2006 Water Quality Limited Segments Being Addressed category for Petroleum Products and Salinity/TDS/ Chlorides. In 2002, Searles Lake was placed on the Enforceable Programs List for these same pollutants along with a qualifying asterisk indicating that, "A determination of whether or not this water body is a 'water of the United States' will be made by the Regional Water Quality Control Board." By separate letter, Searles Valley Minerals (SVM) has requested that the asterisk noting the ambiguity be brought forward to the 2006 list.

1

In addition, SVM submitted a Public Record Act (PRA) request to the State Water Resources Control Board on November 30, 2005, with the intent of ensuring that documents held by the Lahontan Regional Water Quality Control Board (CRWQCB) are available to the State Board for future consideration. The documents requested in SVM's PRA submittal present current data pertaining to Searles Lake in support of our recommendation that Searles Lake does not belong on the Section 303(d) list.

2

The decision to add Searles Lake to the 303(d) list is based on information submitted prior to 2002. Attached you will find quarterly WDR monitoring reports that show Searles Lake is not impaired by Petroleum Products. Searles Lake brines are highly saturated with solids and the presence of trace hydrocarbons does not impact beneficial uses of the brine. SVM, formerly IMC Chemicals, in cooperation with the CRWQCB conducted a series of analytical studies to develop analytical methods to more accurately quantify constituents in brine. Early on we knew that methods developed for water applications were ineffective in determining constituents in brine. The results of the analytical studies are attached. See "Final Analytical Study Report," IMCC, August 30, 2002.

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Craig J. Wilson, 303(d) List, Searles Lake
December 20, 2005

State Water Board staff's proposed listing found a link between oil at Searles Lake and waterfowl mortality. However, in the 2002 interim settlement agreement between California Department of Fish Game (DFG) and IMC Chemicals, DFG acknowledged that oil is not a significant cause of bird injuries at Searles Lake.

Data supporting the naturally-occurring Salinity/TDS/Chlorides at Searles Lake are also attached. Searles Lake is not impaired due to activities associated with SVM's operations. The June 15, 2001, Kennedy/Jenks Consultants report (attached) submitted to CRWQCB on behalf of IMC Chemicals compared the salinity of the depleted brine ponds with the salinity of the ephemeral waters that appear on the surface of Searles Lake. The study found that the concentration of TDS, chlorides, sodium, and other minerals were higher in the ephemeral waters than in the depleted brine ponds. These constituents are naturally occurring at Searles Lake, and rainfall quickly becomes saturated on contact with the salt surface.

SVM recommends that Searles Lake be removed from the 303(d) list for Salinity/TDS/Chlorides because these constituents are naturally occurring. An index accompanies the supporting documents attached with this letter. Thank you for your consideration of this matter.

Sincerely,


Denise Kirchner

Attachments

Copy to:

Cindi Mitton, CRWQCB (w/index only)
David Coupe, CRWQCB (w/index only)
Darlene Ruiz, Hunter/Ruiz (w/index only)
Arzell Hale, SVM (w/index only)
Ross May, SVM (w/index only)

PUBLIC RECORDS ACT REQUEST FOR 303(d) LISTING

Searles Valley Minerals (SVM) submits the following listing of documents requested pursuant to sections 6250 et seq of the California Government Code. Please provide the following Board Orders, Monitoring and Reporting Programs, and monitoring data for the following permits:

1. Board Order No. 6-00-53, WDID No. 6B368020001, Revised Waste Discharge Requirements for IMC Chemicals, Inc., U.S. Department of Interior, Bureau of Land Management Searles Dry Lake Operations – Trona Plant, Adopted June 14, 2000 and Revised Monitoring and Reporting Program No. 00-53 WDID No. 6B368020001 for IMC Chemicals, Inc., U.S. Department of Interior, Bureau of Land Management Searles Dry Lake Operations – Trona Plant, Adopted June 14, 2000
 - a. Board Order No. 6-00-53A1, WDID No. 6B368020001, Amended Waste Discharge Requirements for IMC Chemicals, Inc., U.S. Department of Interior, Bureau of Land Management Searles Dry Lake Operations – Trona Plant, Adopted April 11, 2001
 - b. Board Order No. 6-00-53A2, WDID No. 6B368020001, Amended Waste Discharge Requirements for IMC Chemicals, Inc., U.S. Department of Interior, Bureau of Land Management Searles Dry Lake Operations – Trona Plant, Adopted October 11, 2001

2. Board Order No. 6-00-52, WDID No. 6B368905004, Revised Waste Discharge Requirements for IMC Chemicals, Inc., U.S. Department of Interior, Bureau of Land Management Searles Dry Lake Operations – Argus Plant, Adopted June 14, 2000 and Revised Monitoring and Reporting Program No. 6-00-52 WDID No. 6B368905004 for IMC Chemicals, Inc., U.S. Department of Interior, Bureau of Land Management Searles Dry Lake Operations – Argus Plant, Adopted June 14, 2000
 - a. Board Order No. 6-00-52A1, WDID No. 6B368905004, Amended Waste Discharge Requirements for IMC Chemicals, Inc., U.S. Department of Interior, Bureau of Land Management Searles Dry Lake Operations – Argus Plant, Adopted April 11, 2001
 - b. Board Order No. 6-00-52A2, WDID No. 6B368905004, Amended Waste Discharge Requirements for IMC Chemicals, Inc., U.S. Department of Interior, Bureau of Land Management Searles Dry Lake Operations – Argus Plant, Adopted October 11, 2001
 - c. Board Order No. R6V-2005-0024, WDID 6B368905004 Revised Waste Discharge Requirements for Searles Valley Minerals, U.S. Department of Interior -- Bureau of Land Management Searles Dry Lake Operations – Argus Plant, Adopted September 14, 2005 and Revised Monitoring and Reporting Program No. R6V-2005-0024 WDID 6B368905004 for Searles Valley Minerals, U.S. Department of Interior - Bureau of Land Management Searles Dry Lake Operations – Argus Plant, Adopted September 14, 2005

3. Board Order No. 6-00-54, WDID No. 6B368905005, Revised Waste Discharge Requirements for IMC Chemicals, Inc., U.S. Department of Interior, Bureau of Land Management Searles Dry Lake Operations – Westend Plant, Adopted June 14, 2000 and Revised Monitoring and Reporting Program No. 6-00-54 WDID No. 6B368905005 for IMC Chemicals, Inc., U.S. Department of Interior, Bureau of Land Management Searles Dry Lake Operations – Westend Plant, Adopted June 14, 2000

- a. Board Order No. 6-00-54A1, WDID No. 6B368905005, Amended Waste Discharge Requirements for IMC Chemicals, Inc., U.S. Department of Interior, Bureau of Land Management Searles Dry Lake Operations – Westend Plant, Adopted April 11, 2001
- b. Board Order No. 6-00-54A2, WDID No. 6B368905005, Amended Waste Discharge Requirements for IMC Chemicals, Inc., U.S. Department of Interior, Bureau of Land Management Searles Dry Lake Operations – Westend Plant, Adopted October 11, 2001

Monitoring Data

<u>Date</u>	<u>Document Title</u>
April 14, 2003	WDID NOS. 6B368905004, 6B368020001, and 6B368905005 1) 1 st Quarter 2003 WDR Report 2) March 2003 WDR Report 3) 2003 Daily Effluent Summary Report 4) March 2003 Status and Progress Report
July 10, 2003	WDID NOS. 6B368905004, 6B368020001, and 6B368905005 1) 2nd Quarter 2003 WDR Report 2) June 2003 WDR Report 3) June 2003 Daily Effluent Summary Report 4) June 2003 Status and Progress Report
July 30, 2003	WDID NOS. 6B368905004, 6B368020001, and 6B368905005 Second Quarter 2003 WDR Report
October 14, 2003	WDID NOS. 6B368905004, 6B368020001, and 6B368905005 1) 3rd Quarter 2003 WDR Report 2) September 2003 WDR Report 3) September 2003 Daily Effluent Summary Report 4) September 2003 Status and Progress Report
January 14, 2004	WDID NOS. 6B368905004, 6B368020001, and 6B368905005 1) 4th Quarter 2003 WDR Report 2) December 2003 WDR Report 3) December 2003 Daily Effluent Summary Report 4) December 2003 Status and Progress Report
January 23, 2004	Annual Monitoring Report, January - December, 2003 IMC Chemicals, Inc. (IMCC) Searles Dry Lake Operations ARGUS PLANT: BOARD ORDER NO. 6-00-52A2, WDID NO. 6B368905004 TRONA PLANT: BOARD ORDER NOS. 6-00-53A2, WDID NO. 6B368020001 WESTEND PLANT: BOARD ORDER NOS. 6-00-54A2, WDID NO. 6B368905005

April 14, 2004	<p>WDID NOS. 6B368905004, 6B368020001, and 6B368905005</p> <ol style="list-style-type: none"> 1) 1st Quarter 2004 WDR Report 2) March 2004 WDR Report 3) March 2004 Daily Effluent Summary Report 4) March 2004 Status and Progress Report
July 13, 2004	<p>WDID NOS. 6B368905004, 6B368020001, and 6B368905005</p> <ol style="list-style-type: none"> 1) 2nd Quarter 2004 WDR Report 2) June 2004 WDR Report 3) June 2004 Daily Effluent Summary Report 4) June 2004 Status and Progress Report
October 14, 2004	<p>WDID NOS. 6B368905004, 6B368020001, and 6B368905005</p> <ol style="list-style-type: none"> 1) 3rd Quarter 2004 WDR Report 2) September 2004 WDR Report 3) September 2004 Daily Effluent Summary Report 4) September 2004 Status and Progress Report
January 21, 2005	<p>Annual Monitoring Report January - December, 2004 Searles Valley Minerals (SVM) Searles Dry Lake Operations ARGUS PLANT: BOARD ORDER NO. 6-00-52A2, WDID NO. 6B368905004 TRONA PLANT: BOARD ORDER NOS. 6-00-53A2, WDID NO. 6B368020001 WESTEND PLANT: BOARD ORDER NOS. 6-00-54A2, WDID NO. 6B368905005</p>
April 13, 2005	<p>WDID NOS. 6B368905004, 6B368020001, and 6B368905005</p> <ol style="list-style-type: none"> 1) 1st Quarter 2005 WDR Report 2) March 2005 WDR Report 3) March 2005 Daily Effluent Summary Report 4) March 2005 Status and Progress Report
July 14, 2005	<p>WDID NOS. 6B368905004, 6B368020001, and 6B368905005</p> <ol style="list-style-type: none"> 1) 2nd Quarter 2005 WDR Report 2) June 2005 WDR Report 3) June 2005 Daily Effluent Summary Report 4) June 2005 Status and Progress Report
October 14, 2005	<p>WDID NOS. 6B368905004, 6B368020001, and 6B368905005</p> <ol style="list-style-type: none"> 1) 3rd Quarter 2005 WDR Report 2) September 2005 WDR Report 3) September 2005 Daily Effluent Summary Report 4) September 2005 Status and Progress Report

- November 14, 2005
- 1) October 2005 Monthly WDR Report, WDID NOS. 6B368905004, 6B368020001, and 6B368905005
 - 2) October 2005 Daily Effluent Summary Report
 - 3) October 2005 Status and Progress Report

In addition to the above-referenced Board Orders, Monitoring Programs, and monitoring data, SVM submits the following listing of documents requested pursuant to sections 6250 et seq of the California Government Code.

TITLE	PREPARED BY	DATE
IMC Chemicals, Inc. Screen Sampling Report Ephemeral Waters Within Searles Dry Lake Brine Area	Kennedy/Jenks Consultants	March 29, 2001
IMC Chemicals, Inc. Report of findings and Evaluation of Ephemeral Water Studies	Kennedy/Jenks Consultants	June 15, 2001
Cleanup and Abatement Order No. 6-00-64, WDID 6B368020001, 6B368905004 and 6B368905005, Requiring IMC Chemicals to Clean Up and Abate the Effects of Waste Discharges to Searles Lake From the IMCC Trona, Argus and Westend Facilities	LRWQCB	July 7, 2000
Amended Cleanup and Abatement Order No. 6-00-64A1, WDID 6B368020001, 6B368905004 and 6B368905005, Requiring IMC Chemicals to Clean Up and Abate the Effects of Waste Discharges to Searles Lake From the IMCC Trona, Argus and Westend Facilities	LRWQCB	May 8, 2001
Amended Cleanup and Abatement Order No. 6-00-64A2, WDID 6B368020001, 6B368905004 and 6B368905005, Requiring IMC Chemicals to Clean Up and Abate the Effects of Waste Discharges to Searles Lake From the IMCC Trona, Argus and Westend Facilities	LRWQCB	October 11, 2001
IMC Chemicals, Inc. Supplemental Analytical Study Report	Kennedy/Jenks Consultants	November 2, 2001
IMC Chemicals Comments on Draft Recommendations for Changes in Lahontan Region's Section 303(d) List regarding LRWQCB's recommended changes to its Section 303(d) list (November 2001)	Larry Trowsdale letter to Judith Unsicker	December 19, 2001
"Report on the Mortality of Birds at Searles Dry Lake Bed, and Evaluation of Searles Lake Bed as Avian Habitat."	Dr. Michael Fry	February 27, 2002, submitted to LRWQCB on March 1, 2002

CRWQCB Lahontan Region Administrative Civil Liability Order No. R6V-2002-0025 WDID Nos. 6B368020001/6B368905004/6B368905005 Administrative Liability INC Chemicals Inc. Violation of Waste Discharge Requirements, Board Order Nos. 6-00-52 as Amended (Argus Facility), 6-00-53 as Amended (Trona Facility), 6-00-54 as Amended (Westend Facility)	LRWQCB, Lahontan Region	April 10, 2002
IMC Chemicals Inc. "Evaluating Hydrologic Resources Within the Searles Valley Hydrologic Basin"	Kennedy/Jenks Consultants	March 2002
Response to Comments on "Report on the Mortality of Birds at Searles Dry Lake Bed, and Evaluation of Searles Lake Bed as Avian Habitat, February 27, 2002	Dr. Michael Fry addressed to Cindi Mitton	April 8, 2002
Interim Settlement Agreement between CDFG and IMCC	California DFG	July 22, 2002
IMCC Changes Name to Searles Valley Minerals	April 2, 2004 ltr to LRWQCB	March 19, 2004
Form 200 Searles Valley Minerals' Argus Facility, WDID No. 6B368905004 Addendum to RWD submitted May 4, 2005, Form 200 Searles Valley Minerals' Argus Facility, WDID No. 6B368905004	Searles Valley Minerals	May 4, 2005 Addendum on May 27, 2004
SVM Section 3005 Mitigation Plan June 13, 2005 (Fish and Game Code Section 3005 Mitigation Plan and negative declaration approved by CDFG)	SVM/DFG	August 12, 2005

See also, the May 16, 2002 letter to Craig J. Wilson, SWRCB, from Charles M. Hungerford, Heller Ehrman White & McAuliffe, LLP. Note: LRWQCB staff conducted site visits on May 5, 2003; June 16, 2003; and April 7-8, 2004. Staff collected samples in April 2004.



Searles Valley Minerals

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13200 Main St., Trona, CA 93562-1995

P.O. Box 367, Trona, CA 93592-0367

760.372.4311

December 19, 2005

VIA FEDERAL EXPRESS

Craig J. Wilson
Division of Water Quality -- TMDL Listing Unit
State Water Resources Control Board
1001 I Street
Sacramento, CA 95814

Subj: Section 303(d) List, Searles Lake

Dear Mr. Wilson:

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Searles Valley Minerals requests that the asterisk noting the ambiguity be brought forward to the 2006 Water Quality Limited Segments Being Addressed category. I appreciate your consideration of this request.

If you have any questions, please call me at (760) 372-2118 or Ross May at (760) 372-2197.

Sincerely,


Denise Kirchner