

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

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**WASTE DISCHARGE REQUIREMENTS ORDER R5-2023-0026
AMENDING WASTE DISCHARGE REQUIREMENTS ORDER R5-2020-0060**



ORDER INFORMATION

Order Type(s): Waste Discharge Requirements (WDRs)
Status: Adopted
Program: Mines
Regional 5 Office: Sacramento (Rancho Cordova)
Discharger(s): California Asbestos Monofill, Inc.
Facility: California Asbestos Monofill
Address: 4849 O'Brynes Ferry Road, Copperopolis, 95228
County: Calaveras County
Parcel Nos.: 64-027-02, 64-027-06, 64-028-11, 64-028-14, and portions of 64-028-18
WDID: 5B052006001
Prior Order(s): 79-231; 89-045; 91-019; 97-142; 98-204; R5-2020-0060

WASTE DISCHARGE REQUIREMENTS ORDER R5-2023-0026
AMENDING WDR ORDER R5-2020-0060
CALIFORNIA ASBESTOS MONOFILL, INC.
CALIFORNIA ASBESTOS MONOFILL
CALAVERAS COUNTY

CERTIFICATION

I, PATRICK PULUPA, Executive Officer, hereby certify that the following is a full, true, and correct copy of the order adopted by the California Regional Water Quality Control Board, Central Valley Region, on date 10 December 2020 and amended by Order R5-2023-0026 on 22 June 2023.

PATRICK PULUPA
Executive Officer

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GLOSSARY

MIW	Mining-influenced water
NPDES	National Pollutant Discharge Elimination System
MRP	Monitoring and Reporting Program
TTWQ/C	Threat to Water Quality / Complexity
Title 23	California Code of Regulations, Title 23
Title 27	California Code of Regulations, Title 27
WDR	Waste Discharge Requirements
WMU/MU	Waste Management Unit/Mining Unit

FINDINGS

The California Regional Water Quality Control Board, Central Valley Region (Central Valley Water Board) hereby finds as follows:

Introduction

1. California Asbestos Monofill, Inc. (Discharger) owns and operates California Asbestos Monofill (Facility), which is located approximately 5 miles southeast of Copperopolis in Calaveras County, in portions of Sections 16, 15, 21, and 22, Township 1 North, Range 13 East, Mount Diablo Base and Meridian (MDB&M). The Facility's location is depicted in the **Attachment A** of the Amended Order R5-2020-0060-01.
2. The Facility is regulated by Waste Discharge Requirements Order (WDR Order) R5-2020-0060 adopted on 10 December 2020.
3. On 20 September 2022, the Discharger submitted a request for change in Threat to Water Quality and Complexity (TTWQ/C) classification for the facility. Specifically, the Discharger requested a decrease in Complexity from **B** to **C**.
4. TTWQ/C classifications are used by the State Water Board to determine the annual fee amounts for facilities with Waste Discharge Requirements (WDR) as defined in California Code of Regulations Title 23 Division 3 Chapter 9 Article 1. The article defines Complexity Categories as follows:

Category "A" – Any discharge of toxic wastes; any small volume discharge containing toxic waste; any facility having numerous discharge points and groundwater monitoring; or any Class 1 waste management unit.

Category "B" – Any discharger not included in Category A that has physical, chemical, or biological treatment systems (except for septic systems with subsurface disposal), or any Class 2 or Class 3 waste management units.

Category "C" – Any discharger for which waste discharge requirements have been prescribed pursuant to Section 13263 of the Water Code not included in Category A or Category B as described above. Included are dischargers having no waste treatment systems or that must comply with best management practices, dischargers having passive treatment and disposal systems, or dischargers having waste storage systems with land disposal.

5. The current TTWQ/C classification for California Asbestos Monofill is **2 B**. The Discharger suggests that a classification of **2 C** would be appropriate because the

complexity of the site decreased since the adoption of Waste Discharge Requirements Order R5-2020-0060. Specifically, the Discharger provides the following arguments:

- a. The current WDRs classify the landfill unit 1 (LU-1) as an unclassified landfill unit/monofill for the discharge of inert waste and shredded tires, therefore it is not a Class 2 or Class 3 waste management unit.
- b. The facility does not have physical, chemical, or biological treatment systems.
- c. The facility is closed. The final Construction Quality Assurance Report for the closure of LU-1 was submitted to the Regional Water Quality Control Board on 10 August 2022.

Analysis

6. The following discussion pertains only to California Asbestos Monofill WDR Order R5-2020-0060 (Order) and does not consider any other Central Valley Water Board order.
7. The California Asbestos Monofill is a facility with multiple mining units summarized in Attachment A, Finding 2, Table 1. The closed landfill/monofill LU-1 in the former mining pit contains inert waste which has been covered, from bottom to top, by at least one foot of mill tailings and at least two feet of rock reject. LU-1/mining pit is closed with a shallow mining-influenced water pond. MIW level in the pit/LU-1 must be maintained below regulatory level of 478 feet above sea level as specified in the Order (Finding 43 and Discharge Specifications B.3). The closed Mill Tailings pile contains Group C mining waste classified pursuant to the California Code of Regulations Title 27 (T27) Section 22480 which describes this classifications as follows:

Group C – mining wastes from Group C are wastes from which any discharge would be in compliance with the applicable water quality control plan, including water quality objectives other than turbidity.
8. The main activity at the closed Facility is dewatering of mining pit/LU-1 to keep the MIW level under the regulatory requirement as specified in Finding 7, and the Amended Order Finding 43 and Discharge Specification B.3.
9. Since the WDR Order R5-2020-0060 was adopted, the Discharger completed pit/LU-1 closure and fulfilled the following section J. Time Schedule requirements:
 - a. Submitted updated Sample Collection and Analyses Plan on 8 March 2021. The Plan was reviewed and approved on 29 July 2021.

- b. Completed pit closure and submitted Construction Quality Certification Report on 11 August 2022 and received concurrence 8 November 2022.
 - c. Submitted Mining Pit/LU-1 Water Management and Operations Plan on 11 August 2022 and received concurrence on 17 January 2023.
 - d. Submitted Final Post-closure Monitoring and Maintenance Plan on 1 June 2021 and received concurrence on 29 July 2021.
 - e. Submitted post-closure financial assurance mechanism with Central Valley Board as beneficiary on 17 June 2021. The mechanism was reviewed and accepted on 16 August 2021.
10. The analysis of Facility conditions suggests that following pit/LU-1 closure the complexity of the Facility decreased and that the requested **Complexity C** is appropriate for California Asbestos Monofill because:
 - a. The facility does not discharge or store toxic or designated waste.
 - b. The closed mining units contain either inert waste or Group C mining waste.
 - c. The Facility doesn't operate any waste treatment systems.
11. The analysis of conditions at the Facility supports the Dischargers' request that the TTWQ/C **2 C** is appropriate. Therefore, this Order amends Order R5-2020-0060 and changes the California Asbestos Monofill TTWQ/C classification from **2 B** to **2 C**.

Procedural Matters

12. Issuance of this Order for an existing facility is exempt from the provisions of the California Environmental Quality Act (CEQA), Public Resource Code section 21000, et seq., and the CEQA guidelines, in accordance with Title 14, section 15301, since this Order only serves to modify an existing WDR Order.
13. The Central Valley Water Board has notified the Discharger and interested agencies and persons of its intent to amend the WDR Order R5-2020-0060 and has provided them with an opportunity to submit their written views and recommendations.
14. The Central Valley Water Board, in a public meeting, heard and considered all comments pertaining to the discharge.

REQUIREMENTS

IT IS HEREBY ORDERED, pursuant to Water Code sections 13263 and 13267, that the WDR Order R5-2020-0060 is amended:

1. Finding 2 is changed as follows:

**Table 1—Summary of Waste Management/Mining Units
Permitted under Order**

Unit	Size (acres)	Waste Description/ Unit Classification	Cover Components	Status
LU-1: Landfill/monofill in a former mining pit	Total 77; closure surface 8 acres	Inert waste: ACW and shredded tires; mining influenced water (MIW)	At least two feet of rock reject on top of at least one foot of compacted mill tailings	Inactive; Closed with a shallow lake

2. Findings 44 and 51 are changed as follows:
 44. The Discharger ~~plans to upgrade~~ **upgraded** the existing pit water management system and ~~submitted~~ **submitted** a technical design and operations plan for review and approval before allowing MIW level to rise within the pit. A 50-foot-wide bench ~~will be~~ **has been** constructed for the pump to allow access for installation, monitoring, inspection, and repair. Currently, there is a transformer on the bench in the proposed pumping station area that would provide electricity for the future pumping system. This order requires submittal of the Mining Pit/LU-1 Water Management and Operations Plan as specified in Requirements Time Schedule I.3. **which was submitted on 11 August 2022 and received concurrence on 17 January 2023.**
 51. ROWD includes the Construction Quality Assurance Plan (CQA) for the pit bottom/LU-1 cover grading and cover construction. The plan was prepared by a California-registered civil engineer in accordance with 27 CCR 20324. As specified in Requirements Time Schedule I.2, construction quality certification report signed by a registered civil engineer or certified engineering geologist shall be submitted to the RWQCB for review and approval 60 days after the completed construction. **Following pit closure, the**

report was submitted on 11 August 2022 and received concurrence on 8 November 2022. Prior to the accumulation of water in the pit/LU-1 beyond the existing sump, the Discharger shall submit water management system plan for review and approval. See Requirements Section E.2. and Time Schedule I.3. The plan was submitted on 11 August 2022 and received concurrence on 17 January 2023.

3. Finding 61 is changed as follows:
 61. For the purposes of California Code of Regulations, title 23 (Title 23), section 2200, the Facility has a threat-complexity rating of **2-C**, where:
 - a. Threat Category “2” reflects waste discharges that can impair receiving water beneficial uses, cause short-term water quality objective violations, cause secondary drinking water standard violations, and cause nuisances; and
 - b. Category “C” – Any discharger for which waste discharge requirements have been prescribed pursuant to Section 13263 of the Water Code not included in Category A or Category B as described above. Included are dischargers having no waste treatment systems or that must comply with best management practices, dischargers having passive treatment and disposal systems, or dischargers having waste storage systems with land disposal.
4. Change the Order number throughout to R5-2020-0060-01.
5. Modify the paragraph above the signatory line on the Signature Page as shown in format below:

I, PATRICK PULUPA, Executive Officer, hereby certify that the following is a full, true, and correct copy of the Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on 10 December 2020 and amended by Order R5-2023-0026 on 22 June 2023.

California Asbestos Monofill, Inc., their agents, successors, and assigns, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted there under, shall comply with amended Order R5-2020-0060-01 as shown in **Attachment A**.

WASTE DISCHARGE REQUIREMENTS ORDER R5-2023-0026
AMENDING WDR ORDER R5-2020-0060
CALIFORNIA ASBESTOS MONOFILL, INC.
CALIFORNIA ASBESTOS MONOFILL
CALAVERAS COUNTY

6

LIST OF ATTACHMENTS

ATTACHMENT I – AMENDED ORDER

Information Sheet

ENFORCEMENT

If, in the opinion of the Executive Officer, the Dischargers fail to comply with the provisions of this Order, the Executive Officer may refer this matter to the Attorney General for judicial enforcement, may issue a complaint for administrative civil liability, or may take other enforcement actions. Failure to comply with this Order may result in the assessment of Administrative Civil Liability of up to \$10,000 per violation, per day, depending on the violation, pursuant to the Water Code, including sections 13268, 13350 and 13385. The Central Valley Water Board reserves its right to take any enforcement actions authorized by law.

ADMINISTRATIVE REVIEW

Any person aggrieved by this Central Valley Water Board action may petition the State Water Board for review in accordance with Water Code section 13320 and California Code of Regulations, title 23, section 2050 et seq. To be timely, the petition must be received by the State Water Board by 5:00 pm on the 30th day after the date of this Order; if the 30th day falls on a Saturday, Sunday or state holiday, the petition must be received by the State Water Board by 5:00 pm on the next business day. The law and regulations applicable to filing petitions are available on the [State Water Board website](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) (http://www.waterboards.ca.gov/public_notices/petitions/water_quality). Copies will also be provided upon request.

WASTE DISCHARGE REQUIREMENTS ORDER R5-2023-0026
AMENDING WDR ORDER R5-2020-0060
CALIFORNIA ASBESTOS MONOFILL, INC.
CALIFORNIA ASBESTOS MONOFILL
CALAVERAS COUNTY

ATTACHMENT I – AMENDED ORDER

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WASTE DISCHARGE REQUIREMENTS ORDER R5-2020-0060-01



ORDER INFORMATION

Order Type(s):	Waste Discharge Requirements (WDRs)
Status:	Adopted
Program:	Title 27 Discharges to Land
Region 5 Office:	Sacramento (Rancho Cordova)
Discharger(s):	California Asbestos Monofill, Inc.
Facility:	California Asbestos Monofill
Address:	4849 O'Brynes Ferry Road, Copperopolis, 95228
County:	Calaveras County
Parcel Nos.:	64-027-02, 64-027-06, 64-028-11, 64-028-14, and portions of 64-028-18
WDID:	5B052006001
Prior Order(s):	79-231; 89-045; 91-019; 97-142; 98-204

WASTE DISCHARGE REQUIREMENTS ORDER R5-2023-0026
AMENDING WDR ORDER R5-2020-0060
CALIFORNIA ASBESTOS MONOFILL, INC.
CALIFORNIA ASBESTOS MONOFILL
CALAVERAS COUNTY
ATTACHMENT I – AMENDED ORDER R5-2020-0060-01

CERTIFICATION

I, PATRICK PULUPA, Executive Officer, hereby certify that the following is a full, true, and correct copy of the Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on 10 December 2020 and amended by Order R5-2023-0026 on 22 June 2023.

PATRICK PULUPA,
Executive Officer

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Glossary

ACW	Asbestos containing waste
Antidegradation Policy	Statement of Policy with Respect to Maintaining High Quality Waters in California, State Water Board Resolution 68-16
Basin Plan	<i>Water Quality Control Plan for the Sacramento and San Joaquin River Basins</i>
bgs	Below Ground Surface
C&D	Construction and Demotion Materials
CalRecycle	California Department of Resources Recovery and Recycling
CAM	California Asbestos Monofill
CAP	Corrective Action Program
CEQA	California Environmental Quality Act
CEQA Guidelines	California Code of Regulations, Title 14, section 15000 et seq.
C.F.R.	Code of Federal Regulations
COCs	Constituents of Concern
CPMP	Closure and Post-Closure Maintenance Plan
CQA	Construction Quality Assurance
CUP	Conditional Use Permit
DMP	Detection Monitoring Program
EC	Electrical Conductivity
EIR	Environmental Impact Report
FEMA	Federal Emergency Management Agency

Glossary

Group C Mining Waste	Mining Waste which, pursuant to Title 27, § 22480 (b)(3), from which any discharge would be in compliance with applicable water quality control plan, including water quality objectives other than turbidity.
Hazardous Waste	Wastes which, pursuant to Title 22, section 66261.3 et seq., are required to be managed in accordance with Division 4.5 of Title 22. (Title 27, § 20164; Title 23, § 2521(a).)
Inert Waste	Title 27, section 20230: Inert waste is that subset of solid waste that does not contain hazardous waste or soluble pollutants at concentrations in excess of applicable water quality objectives, and does not contain significant quantities of decomposable waste.
LEA	Local Enforcement Agency
Leachate	Liquid formed by the drainage of liquids from waste or by the percolation or flow of liquid through waste. Leachate includes any constituents extracted from the waste and dissolved or suspended in the fluid. (Title 27, § 20164.)
MCE	Maximum Credible Earthquake
MDB&M	Mount Diablo Base and Meridian
MDL	Method Detection Limit
µg/L	Micrograms per Liter
mg/L	Milligrams per Liter
MPE	Maximum Probable Earthquake
msl	Mean Sea Level
MRP	Monitoring and Reporting Program
MW	Monitoring Well

Glossary

MWPPit Water Monitoring Point

MU.....Mining Unit

SPRRsStandard Provisions and Reporting Requirements

ROWD.....Report of Waste Discharge

TDSTotal Dissolved Solids

Title 22.....California Code of Regulations, Title 22

Title 27.....California Code of Regulations, Title 27

USEPA.....United States Environmental Protection Agency

VOCsVolatile Organic Compounds

WDRs.....Waste Discharge Requirements

WMUWaste Management Unit

WQGWater Quality Goals

WQPSWater Quality Protection Standar

FINDINGS

The Central Valley Regional Water Quality Control Board (Central Valley Water Board) hereby finds as follows:

Introduction

1. California Asbestos Monofill, Inc. (Discharger) owns and operates California Asbestos Monofill (Facility), which is located approximately 5 miles southeast of Copperopolis in Calaveras County, in portions of Sections 16, 15, 21, and 22, Township 1 North, Range 13 East, Mount Diablo Base and Meridian (MDB&M). The Facility’s location is depicted in **Attachment A**.
2. As the Facility’s owner and operator, the Discharger is responsible for compliance with this Order, which prescribes Waste Discharge Requirements (WDRs) regulating monitoring, closure and post-closure maintenance of the Waste Management and Mining Units (WMU/MUs) listed in **Table 1**.

Table 1—Summary of Waste Management/Mining Units Permitted under Order

Unit	Size (acres)	Waste Description/ Unit Classification	Cover Components	Status
LU-1: Landfill/monofill in a former mining pit	Total 77; closure surface 8 acres	Inert waste: ACW and shredded tires; mining influenced water (MIW)	At least two feet of rock reject on top of at least one foot of compacted mill tailings	Inactive; Closed with a shallow lake Proposed closure as a shallow lake
Mill Tailings Stockpile	83 acres	Group C mining waste: mill tailings - serpentinite milled to silty sand and gravel	Nine-inch thick layer of rock reject	Closed/reclaimed
Evaporation/infiltration ponds H-1, H-2, and C		Mining influenced water (MIW)	None	Active; Used to dewater pit and collect stormwater

Unit	Size (acres)	Waste Description/ Unit Classification	Cover Components	Status
Retention ponds P1-P3		Stormwater	None	Active
Overburden Waste Rock Piles		Overburden rock: crushed, poorly sorted overburden rock	None	Reclaimed
Rock Reject Pile		Well sorted crushed serpentine rock with low asbestos content, < two-inch	None	Inactive; proposed to use as cover for LU-1 closure

Materials Accompanying Order

3. The following materials are attached to this Order, and incorporated herein:

Attachment A—Facility Location
 Attachment B—Facility Features and Monitoring Network
 Attachment C—Land Use
 Attachment D—Mining Pit/LU-1 Cross-section
 Attachment E—Groundwater and Pit Water Piper Diagram

Standard Provisions & Reporting Requirements for Discharges of Mining Wastes Regulated by Title 27, February 2009 Edition (SPRRs or Standard Provisions)

Information Sheet for Waste Discharge Requirements Order R5-2020-0060-01 (Information Sheet)

Monitoring and Reporting Program R5-2020-0060 (separate document)

4. This Order is also accompanied by the concurrently adopted **Monitoring & Reporting Program R5-2020-0060 (MRP)**, the provisions of which are incorporated as part of this Order. Each time the operative MRP is modified by the Central Valley Water Board or its Executive Officer, the revised version shall become the operative MRP (superseding the prior version) and be incorporated as part of this Order (i.e., in lieu of the prior version).

ATTACHMENT I: AMENDED ORDER R5-2020-0060-01

5. To the extent there are any material inconsistencies between the provisions of this Order, the operative MRP and the SPRRs, the provisions of this Order shall be controlling. However, to the extent a revised MRP contains new or different factual findings reflecting changed conditions or circumstances at the Facility, the revised MRP findings shall be controlling.
6. Additional information about the Facility is set forth in the **Information Sheet**, which is incorporated as part of these findings. (See Finding 3)

Facility

7. The facility is a former asbestos mine which operated from 1962 through 1987. In 1990, the open pit started operating as an unclassified inert waste landfill for asbestos containing waste (ACW). In 1998, the facility started to accept shredded tires. The open pit was operated as an unclassified landfill until 2016 when it ceased to accept waste and the Discharger directed their focus to closure.
8. The facility was operated as an asbestos mine, first by Jefferson Lake Corporation in 1962, followed by Pacific Asbestos Corporation in 1968. Calaveras Asbestos, Ltd., purchased the assets in December of 1975 and operated the mine until December 1987 under Waste Discharge Requirements Order No. 79-231 for Mining and Milling Operations.
9. After mining ceased, Order No. 89-045 reclassified the open pit mine as unclassified landfill for the disposal of ACW only. Order No. 91-019 continued that classification. On 20 June 1997, the Central Valley Water Board issued the current Order No. 97-142 in which the open pit was classified as an unclassified landfill unit/monofill for the discharge of inert waste and shredded tires. In 2007, the Discharger submitted a Report of Waste Discharge (ROWD). Staff reviewed submitted documentation and the Order and recommended continuance of waste discharge requirements because, at the time, the conditions at the facility had not changed significantly. Five-year continuance was approved in an internal correspondence on 10 December 2008.
10. Order No. 98-204 was issued to change the ownership of California Asbestos Monofill, Inc., to Waste Management, Inc.
11. The Discharger is maintaining coverage under the National Pollution Discharge Elimination General Permit for Industrial Stormwater Pollution No. 5S05I011728.

Waste Classification & Permitting

12. The Facility includes the following onsite features, systems and structures described in **Table** and shown in **Attachment B**:
 - a. Unclassified LU-1 operated as inert waste landfill in the former mining pit
 - b. Closed and Reclaimed Mill Tailings Stockpile

- c. Rock Reject and Reclaimed Overburden Waste Rock Piles
 - d. Evaporation/infiltration Ponds
 - e. Retention Ponds
13. LU-1 landfill is a WMU in the former open pit mine which was approximately 400 feet deep prior to the introduction of waste. Order No. 97-142 classified LU-1 as **unclassified** landfill because it was used for the disposal of ACW and shredded tires which are classified as **inert** as defined in Title 27 Section 20230.
14. Mill tailings in the reclaimed Mill Tailings Stockpile are composed of asbestos-bearing serpentinite rock milled to fine- to coarse-grained silty sand or gravel. Based in the information provided in the February 2016 *Mill Tailings Characterization Report* Mill, mill tailings are classified as **Group C** Mining Waste as defined in Title 27 Section 22480(b)(3).
15. Overburden rock piles are engineered with flat tops and berms along the edges to trap storm water and allow for infiltration. No evidence of runoff or discharge from these piles have been observed by the Discharger.
16. Rock reject piles consist of well sorted crushed serpentinite less than two inches in size with low asbestos content. The material from these piles has been utilized as cover for the Mill Tailings Stockpile. The Discharger is also proposing to use it for LU-1/pit bottom cover. Storm water from the rock reject piles is directed to the evaporation/infiltration ponds H-1 and H-2.
17. On 20 December 2019, the Discharger submitted their latest ROWD. The submitted ROWD and supporting documents contain information related to this revision/update of the WDRs and include the information related to:
- a. Closure of the unclassified landfill/monofill unit LU-1
 - b. Closure and post-closure maintenance plan

Site Conditions

18. The facility is located along the Stanislaus River, a short distance downstream from the New Melones Dam, on the USGS New Melones Dam Quadrangle, California, 7.5 minute series topographic map. Hilly topography at the facility is characterized by gentle to moderate slopes, with elevation ranging from 600 to 1500 feet above mean sea level (msl).
19. Bedrock at the site is largely serpentinitized ultramafic rock (serpentinite), which has been intruded in association with the Bear Mountain and Melones Fault Zones. Serpentinite is the host rock for the asbestos mined at the site. The Rogers Creek fracture traverses the northern half of the site (**Attachment B**).
20. Mining pit is intersected by Roger's Creek Fracture crossing from the south rim to the northwest rim (**Attachments B and D**). The trace of this fracture forms a "V"

shaped feature along the line of its intersection with the northwest wall. The lowest exposure of the fracture along the pit wall is at about 650 feet msl.

21. Land uses within one mile of the Facility, as shown in **Attachment C**, are general agriculture to the north, unclassified to the east and to the south, and agricultural and unclassified to the west. Adjacent properties are primarily open space and forage for wildlife and cattle. The private property bordering the west side of the Site is used primarily for cattle grazing. The properties to the north, east, and south are federally owned lands managed by the Bureau of Land Management and Army Corps of Engineers with Mineral Resource & Inundation land use designations in the Calaveras County General Plan.
22. There are no municipal, domestic, industrial, or agricultural groundwater supply wells within one mile of the facility. The only wells within 1 mile of the Site are the two onsite wells which were used as a water supply for the former mining operations. These wells are identified as Well 1 and Well 2 on the Attachment C. Well 2 also serves as the background monitoring well MW-1.
23. Based on a site-specific seismic analysis, the controlling maximum credible earthquake (MCE) for the site is a moment of magnitude 6.5 event along the Foothills Fault System located at a distance of 1.25 miles from the Site. It is estimated that a MCE event would produce a peak ground acceleration of 0.38 g at the site with a return period of >10,000 years.
24. Based on data from the nearest weather station (New Melones Dam), the annual average precipitation is 28.4 inches, and a mean annual pan evaporation 71.6 inches. The nearest weather station is reflective of conditions at the Facility. Based on the isohyetal rainfall map obtained from the Prism Climate Group, the average annual precipitation for the facility was calculated to be 23 to 25 inches.
25. Stormwater sedimentation basins/retention ponds are situated in Long Creek Valley of the Facility, as depicted in **Attachment B**. These ponds rarely discharge to Stanislaus River.
26. According to the Federal Emergency Management Agency's (FEMA) [Flood Insurance Rate Map](https://msc.fema.gov/portal/) (https://msc.fema.gov/portal/), Community-Panel Number 06009C0675E, the Facility is not located within a 100-year floodplain.

Surface Water and Groundwater Conditions

27. Surface water from the Facility drains to Stanislaus River, a tributary to Tulloch Reservoir. According to the Central Valley Water Board's *Water Quality Control Plan for the Sacramento and San Joaquin River Basins* (Basin Plan), the beneficial uses of Tulloch Reservoir include: municipal and domestic use (MUN); agricultural supply (AGR); water contact recreation (REC-1); non-water contact recreation (REC-2); warm freshwater habitat (WARM); and wildlife habitat (WILD).

28. The designated beneficial uses of the groundwater, as specified in the Basin Plan, are domestic and municipal water supply, agricultural supply, industrial service supply, and industrial process supply.
29. According to Order No. 97-142, no continuous water table exists at the facility and there is no known water bearing formation below the base of the mining pit due to competent bedrock underlying the facility. Groundwater distribution is fracture controlled with small unconnected confined and perched aquifers.
30. The site hydrogeologic model shows that the groundwater near the facility is controlled by fractures in the bedrock. Based on these findings, preparation of a groundwater contour map and calculation of groundwater gradients between the monitoring wells and/or the monitoring wells and the pit water does not provide an accurate representation of site groundwater flow conditions.
31. Water enters the mining pit through rainfall, through the pit's rainfall intercept, and through the Roger's Creek Fracture. The fracture acts as a hydrologic barrier causing groundwater flows to daylight in its proximity and concentrating flow in the bottom of the "V" shaped trace from which it spreads very little as it moves toward the pit bottom through the shallow shattered rock layer created by induced fracturing (fracturing caused by blasting and other mining operations).
32. The 2019 water balance model update estimated the inflow from the Rogers Creek Fracture to be 256 acre-feet a year. Because the gradient of this perched confined aquifer is toward the pit, recharge of the aquifer from the pit is not possible as long as the level of pit water remains below 650 feet msl. According to the model, the pit also receives an annual inflow of 78 acre-feet in direct precipitation, 71 acre-feet in surface water, and 0.7 acre feet in deep groundwater. The two annual outflows have been estimated to be 138 acre-feet in evaporation and 0.14 acre-feet in groundwater outflow.
33. As shown in **Table 2** and Piper diagram in Attachment E , water quality varies across the site. The mining pit is located within asbestos-ore bearing serpentinized ultramafic rock, which has a groundwater composition that is dominated by the serpentinite rock, with high pH values. Well MW-2 is also located in the asbestos-ore bearing rocks, while wells MW-1 and MW-3 are located away from the mining pit in non-asbestos-ore bearing rocks. The composition of the groundwater in well MW-2 is similar to the mining pit sump water, with pH values greater than 9 and higher concentrations of sodium and chloride compared to the groundwater in wells MW-1 and MW-3.

Table 2—Groundwater and Pit Water Quality (2019)

Parameters	Location Units	Water Quality Goal	MW-1	MW-2	MW-3	Mine Pit Water (MPW)
Specific Conductivity	µmhos/cm	900	856	673	713	1060
pH	st. units	6-8	7.3	9.5	7.7	9.2

Parameters	Location Units	Water Quality Goal	MW-1	MW-2	MW-3	Mine Pit Water (MPW)
Sulfate	mg/L	250	ND	0.43	ND	355
Total Dissolved Solids	mg/L	500	510	360	400	720

*average of two samples; ND – not detected above method detection limit

34. The similarity of analytical results for pit water and monitoring well MW-2, which is located closest to the mining pit and in the same asbestos-ore bearing geologic formation, indicates that the inert wastes in LU-1 have not impacted pit water quality. Because the groundwater level in MW-2 is several hundred feet higher than water in the mining pit, waste material from the mining pit cannot influence the groundwater quality in well MW-2.
35. Most of the monitoring parameter concentrations in pit water are lower than regulatory limits such as maximum contaminant levels or water quality goals. The four parameters that exceed secondary maximum concentration levels are specific conductivity, pH, total dissolved solids, and sulfate (**Table 2**).
36. Historical monitoring results of the groundwater and mining pit water quality show relatively low concentrations of general minerals, turbidity, and metals since monitoring began in 1990. There have been no consistent upward trending concentrations for the analyzed parameters, and all constituents are typically within the statically calculated maximums using Shewart-CUSUM control charts.

Monitoring Networks

37. As of the date of this Order, the Facility's **groundwater** monitoring network consists of the existing wells and sampling points listed in. **Table 3**

Table 3—Groundwater Monitoring Network

Well	Program	Monitored Unit	Water-Bearing Zone
MW-1	Background	LU-1	N/A
MW-2	Detection	LU-1	N/A
MW-3	Detection	LU-1	N/A
MWP	Detection	LU-1	Pit sump/lake

38. This order continues surface water monitoring as described in MRP. The existing surface water monitoring network consists of the following sampling points shown on the **Attachment B**:

Table 4—Surface Water Monitoring Network

Monitoring Point	Location	Program	Monitored Units
SR-1	Stanislaus River	Background (Upstream)	LU-1
SR-2	Stanislaus River	Background (Upstream)	LU-1
SR-3	Stanislaus River	Downstream	LU-1
LC-1	Long Creek	Background (Upstream)	Mill Tailings Stockpile
LC-2	Long Creek	Detection, at the confluence with Stanislaus River (Downstream)	Mill Tailings Stockpile

See Glossary for definitions of terms and abbreviations in table.

39. As of the adoption of this Order, the above-described networks comply with the monitoring requirements of Title 27. (See Title 27, §§ 20415–20435.) Subsequent changes to these networks will be reflected in a Revised Monitoring & Reporting Program issued by the Executive Officer.

Unit Design

40. Water Code section 13360(a)(1) allows the Central Valley Water Board to specify the design, type of construction, and/or particular manner in which compliance must be met in waste discharge requirements.

Pit/Monofill Unit LU-1

41. The Discharger proposed the final closure plan for the unit based on the lake option described in Order No. 97-142, which was permitted in the event that the top of the waste with cover were to remain below the 678 foot elevation. The current elevations of the top of LU-1 waste with cover are well below that elevation, and range between 440 to 470 foot msl with the lowest elevation at

- approximately 390 foot msl at the bottom of pit sump utilized for pit dewatering. The maximum thickness of waste in LU-1 is approximately 130 feet.
42. The Discharger proposes to place at least 2 feet of rock reject in LU-1 over the existing ≥ 1 foot cover of compacted mill tailings located at the elevation of LU-1 waste and to reduce the current slopes by grading to a maximum slope of 3 horizontal to 1 vertical. The 31 July 2019 *Grading Plan Description for the Proposed Closure of the Mine Pit and Unclassified Landfill Unit* (Grading Plan) was reviewed and received concurrence in 27 August 2019 letter. However, the latest ROWD was submitted with a revised grading plan designed to reduce the amount of rock-reject required to achieve the proposed maximum grades. A letter summarizing grading plan changes was submitted on 27 March 2020. Staff reviewed the letter and the revised grading plan and concurred with the proposed changes in their 22 April 2020 correspondence.
 43. The results of the updated 2019 water balance model demonstrated that continued dewatering of the mining pit will be required to prevent the water from overtopping the pit and discharging directly into the Stanislaus River. In ROWD, the Discharger proposes to maintain a maximum pit water level at 480 feet msl which is at the approximate elevation of the Stanislaus River. Therefore, by maintaining the mining pit water level at or below elevation 480 feet msl, there would be no hydraulic gradient from the pit toward the river. To ensure that the pit always functions as groundwater sink, this Order requires that the Discharger maintains pit water level at or below 478 feet msl (see Requirements B.3).
 44. The Discharger ~~plans to upgrade~~ the existing pit water management system and ~~submitted~~ a technical design and operations plan for review and approval before allowing MIW level to rise within the pit. A 50-foot-wide bench ~~will be~~ **has been** constructed for the pump to allow access for installation, monitoring, inspection, and repair. Currently, there is a transformer on the bench in the proposed pumping station area that would provide electricity for the future pumping system. This order requires submittal of the Mining Pit/LU-1 Water Management and Operations Plan as specified in Requirements Time Schedule I.3. **which was submitted on 11 August 2022 and received concurrence on 17 January 2023.**
 45. Mining pit slope stability analyses were performed to assess the containment integrity after closure. Smaller scale, localized rockfall hazards were not considered to pose a threat to MIW containment therefore they were excluded from slope stability analyses. Stability analyses considered large-scale failures (global stability) which could endanger containment function of the pit. The results of the pit global stability analysis for all pit walls calculated a minimum static factor of safety of 2.65 and a minimum pseudo-static factor of safety of 1.75 which is greater than the factor of safety of 1.5 required by Title 27.
 46. The stability of LU-1 rock-reject cover slopes was assessed along the cross-section of pit bottom shown in **Attachment D**. The analyses were performed for two scenarios: during construction (dry), and post-construction, filled with water to 480 feet msl. The proposed slopes of the rock reject cover meet the minimum required factor of safety of 1.5 for both scenarios. No further analysis was

required because the seismic factors of safety for both scenarios passed the minimum screening factor of safety defined in Stewart, J. P., Blake, T. F., & Hollingsworth, R. A. (2003). A Screen Analysis Procedure for Seismic Slope Stability. Earthquake Spectra, 19(3), 697–712.

Mill Tailings Stockpile

47. The Mill Tailings stockpile was reclaimed in January 2018 pursuant to the Reclamation Plan approved by Calaveras County. The stockpile was graded to a stable long-term configuration and covered by a nine-inch thick layer of washed rock reject. The final maximum slopes were graded to 1.75H:1V (horizontal to vertical) with 15-foot-wide benches every 50 vertical feet. A mechanically stabilized earth wall was constructed along the southwest toe of the stockpile to support the stockpile and prevent erosion of mill tailings into the Long Creek drainage, a tributary to the Stanislaus River. Stockpile stormwater conveyance features are designed to convey drainage for a 100-year 24-hour design storm, which exceeds Title 27 requirements, and drain to the retention ponds. Staff observed the reclamation activities and reviewed and concurred with the submitted Construction Quality Assurance report in correspondence dated 18 June 2018.

Rock Reject and Overburden Rock Stockpiles

48. Reclamation of the Rock Reject and Overburden Rock Stockpiles was completed by the Discharger in January 2018 pursuant to the Reclamation Plan approved by Calaveras County. As part of this process, slope stability and mine waste characterization analyses were prepared and provided to Central Valley Water Board staff.

Evaporation/infiltration Pond

49. The unlined evaporation/infiltration ponds (referred to as evaporation/percolation ponds in Order No. 97-142) H-1, H-2 and C are used to dewater the pit and/or collect stormwater from undeveloped areas of the site. The unlined evaporation/infiltration pond C is currently only used to collect stormwater from undeveloped areas of the site and a portion of the Reclaimed Mill Tailings Stock Pile area, but could also be used to dewater the pit if necessary. Pit water is currently pumped into H-1 and/or C and allowed to evaporate/infiltrate into the ground. H-1 drains into H-2. In 2018, the Discharger submitted closure plan which proposed to remove all asbestos contaminated material. After the work was completed in 2019, the Discharger decided to keep these evaporation/infiltration ponds in service for pit water level management thereafter.

Retention Ponds

50. Three unlined retention ponds in the Long Creek drainage (shown as P1-P3 on Attachment B) are designed to capture and contain stormwater from the facility. The extended detention basin (P3) is designed to provide adequate retention time to settle out any asbestos fibers with capacity for a 1,000 year 24-hr storm event.

Closure and Post-Closure Maintenance & Financial Assurance

51. ROWD includes the Construction Quality Assurance Plan (CQA) for the pit bottom/LU-1 cover grading and cover construction. The plan was prepared by a California-registered civil engineer in accordance with 27 CCR 20324. As specified in Requirements Time Schedule I.2, construction quality certification report signed by a registered civil engineer or certified engineering geologist shall be submitted to the RWQCB for review and approval 60 days after the completed construction. **Following pit closure, the report was submitted on 11 August 2022 and received concurrence on 8 November 2022.** Prior to the accumulation of water in the pit/LU-1 beyond the existing sump, the Discharger shall submit water management system plan for review and approval. See Requirements Section E.2. and Time Schedule I.3. **The plan was submitted on 11 August 2022 and received concurrence on 17 January 2023.**
52. ROWD includes pit/LU-1 post-closure maintenance plan listing responsibilities, resources, and inspection frequency. However, the plan does not include post-closure cost estimates. This Order requires submittal of Final Post-closure Monitoring and Maintenance plan for LU-1 including post-closure cost estimates and financial assurance mechanism update as specified in Requirements Section F and Time Schedule I.5. The Discharger currently maintains Letter of Credit in the amount of \$211,410.
53. Evaporation/infiltration ponds, stormwater conveyance systems, and retention ponds will remain in service and will require regular inspection and maintenance which shall be described in the final post-closure plan and included in post-closure cost and financial assurance estimates required by this order (see Requirements Time Schedule I.4 and I.5).

California Environmental Quality Act

54. The facility has been subject of several environmental review documents prepared pursuant to the California Environmental Quality Act (Pub. Resources Code, §§ 21000 et seq. (CEQA)) since the approval of the 1978 Reclamation Plan.
55. In 1987, the Discharger applied to Calaveras County for a Conditional Use Permit (CUP) to operate the facility as an inert waste landfill. As part of this process, a Revised Draft Environmental Impact Report (EIR) was prepared and certified pursuant to CEQA. In 1990, following the certification of EIR, the County issued a CUP and the facility began ACW landfill operations. A Supplemental

EIR was completed and certified in 1994 and the CUP was amended to allow for increased tonnage of ACW disposal at the site. In 1997, the Discharger applied to accept shredded tires in addition to ACW, and subsequently prepared an addendum to the EIR which was certified in February 1997. CUP 96-15 was amended and the California Integrated Waste Management Board (CIWMB) (now Cal Recycle) issued Large Tire Facility Permit 05-T1-0726. The Facility began accepting shredded tires in April 1998. In 2007, an EIR addendum was prepared to allow for disposal of mixed tire shreds/tailings, and in 2008, the County approved CUP 2001-110.

56. Closure plans for LU-1 WMU as proposed in Discharger's ROWD are consistent with these previously issued documents.

Other Regulatory Matters

57. This Order is issued in part pursuant to Water Code section 13263, subdivision (a), which provides as follows:

The regional board, after any necessary hearing, shall prescribe requirements as to the nature of any proposed discharge, existing discharge, or material change in an existing discharge..., with relation to the conditions existing in the disposal area ... into which, the discharge is made or proposed. The requirements shall implement any relevant water quality control plans that have been adopted, and shall take into consideration the beneficial uses to be protected, the water quality objectives reasonably required for that purpose, other waste discharges, the need to prevent nuisance, and the provisions of [Water Code] Section 13241.

58. This Order implements the Central Valley Water Board's Basin Plan, which designates beneficial uses for surface water and groundwater and establishes water quality objectives (WQOs) necessary to preserve such beneficial uses. (Wat. Code, § 13241 et seq.)
59. The State Water Board's *Statement of Policy with Respect to Maintaining High Quality Waters in California*, Resolution 68-16 (*Antidegradation Policy*) prohibits the Central Valley Water Board from authorizing degradation of "high quality waters" unless it is shown that such degradation: (1) will be consistent with the maximum benefit to the people of California; (2) will not unreasonably affect beneficial uses, or otherwise result in water quality less than as prescribed in applicable policies; and (3) is minimized through the discharger's best practicable treatment or control.
60. Consistent with Title 27, this Order requires the Discharger to maintain the Facility to contain waste within WMU/MUs, thereby preventing degradation of

¹ Designated beneficial uses surface water and groundwater are discussed in Findings 23 and 0, respectively.

water quality. To the extent that there are releases from Facility units, the Discharger will be required to address such releases through a Corrective Action Program. (See Title 27, §§ 20385, 20415, 20430.) Because this Order does not authorize any degradation in water quality, it complies with the *Antidegradation Policy*.

61. For the purposes of California Code of Regulations, title 23 (Title 23), section 2200, the Facility has a threat-complexity rating of **2-BC**, where:
- a. Threat Category “2” reflects waste discharges that can impair receiving water beneficial uses, cause short-term water quality objective violations, cause secondary drinking water standard violations, and cause nuisances; and
 - b. **Category “C” – Any discharger for which waste discharge requirements have been prescribed pursuant to Section 13263 of the Water Code not included in Category A or Category B as described above. Included are dischargers having no waste treatment systems or that must comply with best management practices, dischargers having passive treatment and disposal systems, or dischargers having waste storage systems with land disposal.**

~~Complexity Category “B” reflects any discharger not included in Category A, with either (1) physical, chemical, or biological treatment systems (except for septic systems with subsurface disposal), or (2) any Class II or Class III WMUs.~~

Reporting Requirements

62. This Order is also issued in part pursuant to Water Code section 13267, subdivision (b)(1), which provides that:

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 ... 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.

63. The technical reports required under this Order, as well as those required under the separately issued MRP, are necessary to ensure compliance with prescribed WDRs and the provisions of Title 27. Additionally, the burdens associated with such reports are reasonable relative to the need for their submission.

64. Failure to comply with the reporting requirements under this Order and the MRP may result in enforcement action pursuant to Water Code section 13268.

Procedural Matters

65. All local agencies with regulatory jurisdiction over land-use, solid waste disposal, air pollution and public health protection have approved the use of the Facility's site for the discharge of waste to land as provided for herein.
66. The Discharger, interested agencies and interested persons were notified of the Central Valley Water Board's intent to prescribe the WDRs in this Order, and provided an opportunity to submit their written views and recommendations at a public hearing. (Wat. Code, § 13167.5; Title 27, § 21730.)
67. At a public meeting, the Central Valley Water Board heard and considered all comments pertaining to the discharges regulated under this Order.
68. The Central Valley Water Board will review and revise the WDRs in this Order as necessary.

REQUIREMENTS

IT IS HEREBY ORDERED, pursuant to Water Code sections 13263 and 13267, that WDR's Order No. 97-142 is rescinded, except for enforcement purposes, and that the Discharger and their agents, employees and successors shall comply with the following.

- A. Discharge Prohibitions**—Except as otherwise expressly directed below, the Discharger shall comply with all Standard Prohibitions (SPRRs, § V), which are incorporated herein, as well as the following.
1. The discharge of mining waste (except for rock reject used for LU-1 cover and accumulation of MIW), hazardous waste, designated waste, municipal waste, and inert waste at the Facility is prohibited. For the purposes of this Order, the terms mining waste, hazardous waste, designated waste, municipal waste, and inert waste are as defined in California Code of Regulations Title 27.
 2. The discharge of solid waste or liquid waste to surface waters, surface water drainage courses, or groundwater is prohibited.
 3. The discharge of wastes outside of a waste management unit or portions of a waste management unit specifically designed for their containment is prohibited. 4.

- B. Discharge Specifications**—Except as otherwise expressly directed below, the Discharger shall comply with all Standard Discharge Specifications (SPRRs, § III), which are incorporated herein, as well as the following.
1. The discharge shall not cause a condition of pollution or nuisance as defined by the Water Code section 13050.
 2. The pit/LU-1 and related containment structures shall be maintained to prevent, to the greatest extent possible, inundation, erosion, slope failure, washout, and overtopping under 100-year, 24-hour precipitation conditions, and shall be designed to contain the 100-year wet season precipitation.
 3. Water level in the mining pit/LU-1 shall be maintained at or below 478 feet msl (Finding 0). If the Discharger updates the water balance model and demonstrates that a different water level is equally protective of water quality, staff may propose an amendment to the WDRs to revise the maximum pit level.
 4. MIW from the mining pit shall only be discharged into, and shall be confined to, the evaporation/infiltration ponds permitted for pit dewatering activities. The evaporation/infiltration ponds shall be inspected and maintained as specified in the approved Final Post-closure Monitoring and Maintenance plan.
 5. Pit dewatering infrastructure such as pipes, valves and pumps shall be inspected and maintained regularly. Leaks or other identified issues shall be repaired or replaced in a timely manner.
 6. Pit lake MIW used for facility maintenance shall be limited to the minimum amount necessary for dust control.
 7. Sediment from evaporation/infiltration and retention ponds shall be removed and disposed appropriately as proposed in the approved final post-closure maintenance plan required by this Order (see Time Schedule I.4).
 8. The Discharger shall maintain site security throughout the closure period. Perimeter fences, locked gates and signs shall be maintained to exclude public entry to the site. Locks, gates, signs, and fences shall be inspected quarterly; damaged security features shall be repaired or replaced immediately.

9. Signs shall be repaired or replaced as needed to maintain their visibility. Vegetation that encroaches on or obscures signs shall be cut back or removed.
10. Annually, prior to the anticipated rainy season, any necessary erosion control measures shall be implemented, and any necessary construction, maintenance, or repairs of precipitation and drainage control facilities shall be completed to prevent erosion or flooding of the site.

C. Facility Specifications—The Discharger shall comply with all Standard Facility Specifications (SPRRs, § VI) which are incorporated herein.

1. Precipitation and drainage controls shall be designed and constructed to accommodate the anticipated volume and precipitation and peak flows from surface runoff for one 10-year, 24-hour storm event as required by Title 27 California Code of Regulations subsection 22490(h)(1)(B&C).
2. Pursuant to Title 27 California Code of Regulations section 21710(c)(2), the Discharger shall promptly notify the Central Valley Water Board of any slope failure occurring at a mining unit. Any failure which threatens the integrity of containment features of any of the mining units shall be promptly corrected in accordance with an approved method.
3. Annually, prior to the anticipated rainy season but no later than **1 November**, any necessary construction, maintenance, or repairs of precipitation and drainage control facilities shall be completed and reported in compliance with MRP No. R5-2020-0060.

D. Unit Construction Specifications—Except as otherwise expressly directed below, the Discharger shall comply with all Standard Construction Specifications and Standard Storm Water Provisions (SPRRs, § VII), which are incorporated herein, as well as the following.

1. All containment structures shall be designed by a California registered civil engineer, and construction shall be supervised and certified by a California registered civil engineer or a certified engineering geologist (Title 27 California Code of Regulations section 22490(d)). Waste management/mining units shall receive a final inspection and approval of the construction by Central Valley Water Board staff before use of the units commences [27 CCR §22490(d)].
2. Any report, or any amendment or revision of a report, that proposes a design or design change that might affect a waste management/mining unit's containment features or monitoring systems shall be approved by a

registered civil engineer or a certified engineering geologist (Title 27 California Code of Regulations section 21710(d)).

3. Materials used in containment structures shall have appropriate chemical and physical properties to ensure that such structures do not fail to contain waste because of pressure gradients, physical contact with waste or leachate, chemical reactions with soil or rock, climatic conditions, the stress of installation, or because of the stress of daily operations (Title 27 California Code of Regulations section 22490(e) and section 20320(a)).

E. Closure & Post-Closure Maintenance Specifications—Except as otherwise directed below, the Discharger shall comply with all Standard Closure and Post-Closure Specifications (SPRRs, § XI. D) and closure-related Standard Construction Specifications (SPRRs, § XI. F), as well as the following.

1. ROWD includes Construction Quality Assurance Plan (CQA) for LU-1 closure. The plan was prepared by a California-registered civil engineer in accordance with 27 CCR 20324. A construction certification report signed by a registered civil engineer or certified engineering geologist shall be submitted to the RWQCB for approval 60 days after the construction is completed (see Time Schedule I.2).
2. Prior to the accumulation of MIW in the mining pit/LU-1 beyond the existing level, the Discharger shall submit a water management plan for review and approval (see Time Schedule I.3).
3. ROWD includes mining pit/LU-1 post-closure maintenance plan listing responsibilities, resources, and inspection frequency. However, the plan does not include post-closure cost estimate or proof of financial assurance which shall be provided as specified in Time Schedule I.4.
4. Evaporation/infiltration ponds, stormwater conveyance controls and retention ponds will remain in service and will require regular inspection and maintenance. These inspections and maintenance shall be included in the final post-closure plan and post-closure cost and financial assurance estimates.
5. Inspections and maintenance of Mill Tailings Stockpile shall be included in the final post-closure report and cost and financial assurance estimates.

F. Financial Assurances—Except as otherwise directed below, the Discharger shall comply with all Standard Financial Assurance Provisions (SPRRs, § IV), as well as the following.

1. By **1 June 2021**, pursuant to Title 27 Section 22212, the Discharger shall submit a report detailing required post-closure site monitoring and maintenance including a tabulated cost estimate for the 30-year post-closure period. Additionally, the Discharger shall include documentation showing that it has established or updated an existing irrevocable **post-closure fund** with the Central Valley Water Board named as beneficiary to ensure the funding for post-closure maintenance of the pit/LU-1, Mill Tailings Stockpile, evaporation/infiltration impoundments/ponds, retention/settling ponds, and overburden waste rock and rock reject piles, and any associated infrastructure. The financial assurances mechanism shall be one listed in Title 27 section 22228 for which the Discharger is eligible. For financial assurance mechanisms requiring funding, the Discharger shall either fully fund the mechanism by **1 June 2021** or may propose a payment schedule. If the Discharger proposes a payment schedule to fund the mechanism, it shall submit a report by **1 June 2022** showing that the mechanism is fully funded. For financial assurance mechanisms not requiring funding, such as a Guarantee, the Discharger shall submit a report showing the mechanism is in place by **1 June 2021**.
2. If LU-1 closure is not finalized by **1 June 2021**, the above report shall also include LU-1 closure cost estimates. Funding needed to complete LU-1 closure shall be added to financial assurance estimates and funding mechanism.
3. By **1 June** of each year starting in **2022**, the Discharger shall submit a report to the Central Valley Water Board that reports the balance of the post-closure fund and the amounts of the Guarantees and the adjustments to account for inflation in accordance with Title 27 section 22236.

G. Monitoring Requirements—Except as otherwise directed below, the Discharger shall comply with all applicable Standard Monitoring Specifications (SPRRs, § IX) and Standard Response to Release Specifications (SPRRs, § X), as well as the following:

1. The Discharger shall comply with all provisions of the separately issued **Monitoring & Reporting Program R5-2020-0060** and any subsequent revisions thereto (operative MRP).
2. The Discharger shall implement the Water Quality Protection Standard (WQPS) set forth in the operative MRP (see also Title 27, § 20390); and

shall verify the compliance of each WMU/MU with each subsequent monitoring event.

H. Reporting Requirements—In addition to those Standard Provisions pertaining to notification and reporting obligations (see, e.g., § IX), the Discharger shall comply with the following provisions.

1. The Discharger shall comply with all MRP provisions pertaining to the submittal and formatting of reports and data.
2. Reports shall be submitted electronically via the State Water Board's [GeoTracker Database](https://geotracker.waterboards.ca.gov) (<https://geotracker.waterboards.ca.gov>). After uploading, the Discharger shall notify Central Valley Water Board staff via email at CentralValleySacramento@WaterBoards.ca.gov. The following information shall be included in the body of the email:

Attention:	Title 27 Permitting and Mining
Report Title:	[Title]
GeoTracker Upload ID:	[number]
Facility:	California Asbestos Monofill
County:	Calaveras County
CIWQS Place ID:	5B052006001

3. All technical reports submitted under this Order shall be prepared by, or under the direct supervision of, a California-licensed civil engineer or engineering geologist or a California-licensed geologist when appropriate. For the purposes of this section, a “technical report” is a report incorporating the application of scientific or engineering principles.

- I. **Time Schedule**—The Discharger shall complete the following tasks in accordance with the specified deadlines:

Table 5—Time Schedule

Item No.	Category	Task	Deadline
1.	Monitoring and Reporting	<p>Updated Sample Collection and Analyses Plan</p> <p>Submit an updated Sample Collection and Analysis Plan for monitoring and reporting as specified in the incorporated MRP.</p>	90 days after adoption of this Order
2.	Construction	<p>Construction Quality Certification Report</p> <p>A construction certification report signed by a registered civil engineer or certified engineering geologist certifying that pit closure has been performed in accordance with approved engineering report and construction quality assurance plan.</p>	60 Days After Completion of LU-1 closure
3.	Construction Post-closure	<p>Mining Pit/LU-1 Water Management and Operations Plan</p> <p>Submit a pit water management and operations plan.</p>	60 Days After Installation of Dewatering Infrastructure
4.	Post-closure	<p>Final (Closure) and Post-closure Monitoring and Maintenance Plan</p> <p>Submit a Final Post-Closure (and LU-1 closure, if applicable, see F.2) Monitoring and Maintenance Plan including the tabulated cost estimates for monitoring and maintenance during the post-closure period for the entire facility. The plan shall be implemented for a minimum period of 30 years or until waste no longer represents a threat to water quality, whichever is greater.</p>	1 June 2021

Item No.	Category	Task	Deadline
5.	Financial Assurance	<p>Financial Assurance Mechanism</p> <p>Submit proof that the post-closure (and mining pit/LU-1 closure, if applicable) fund mechanism with the Central Valley Water Board listed as a beneficiary has been established to cover the closure (if applicable) and post-closure cost estimates tabulated in the Final (Closure and) Post-closure Maintenance Plan as detailed in 4.</p>	1 June 2021

J. Other Provisions

1. The Discharger shall maintain at the Facility copies of this Order (including all attachments), the operative Monitoring & Reporting Program (i.e., MRP R5-2020-0060 and any revisions thereto), and the SPRRs. These materials shall be made available to all operating personnel, who shall be familiar with the contents of such materials.
2. The Discharger shall comply with all applicable provisions of Title 27 (including those provisions not specifically referenced herein).

LIST OF ATTACHMENTS

Attachment A—Facility Location

Attachment B—Facility Features and Monitoring Network

Attachment C—Land Use

Attachment D—Mining Pit/LU-1 Cross-section

Attachment E—Groundwater and Pit Water Piper Diagram

Standard Provisions & Reporting Requirements for Discharges of Mining Wastes Regulated by Title 27, February 2009 Edition (SPRRs or Standard Provisions)

Information Sheet for Waste Discharge Requirements Order R5-2020-0060-01 (Information Sheet)

Monitoring and Reporting Program R5-2020-0060 (separate document)

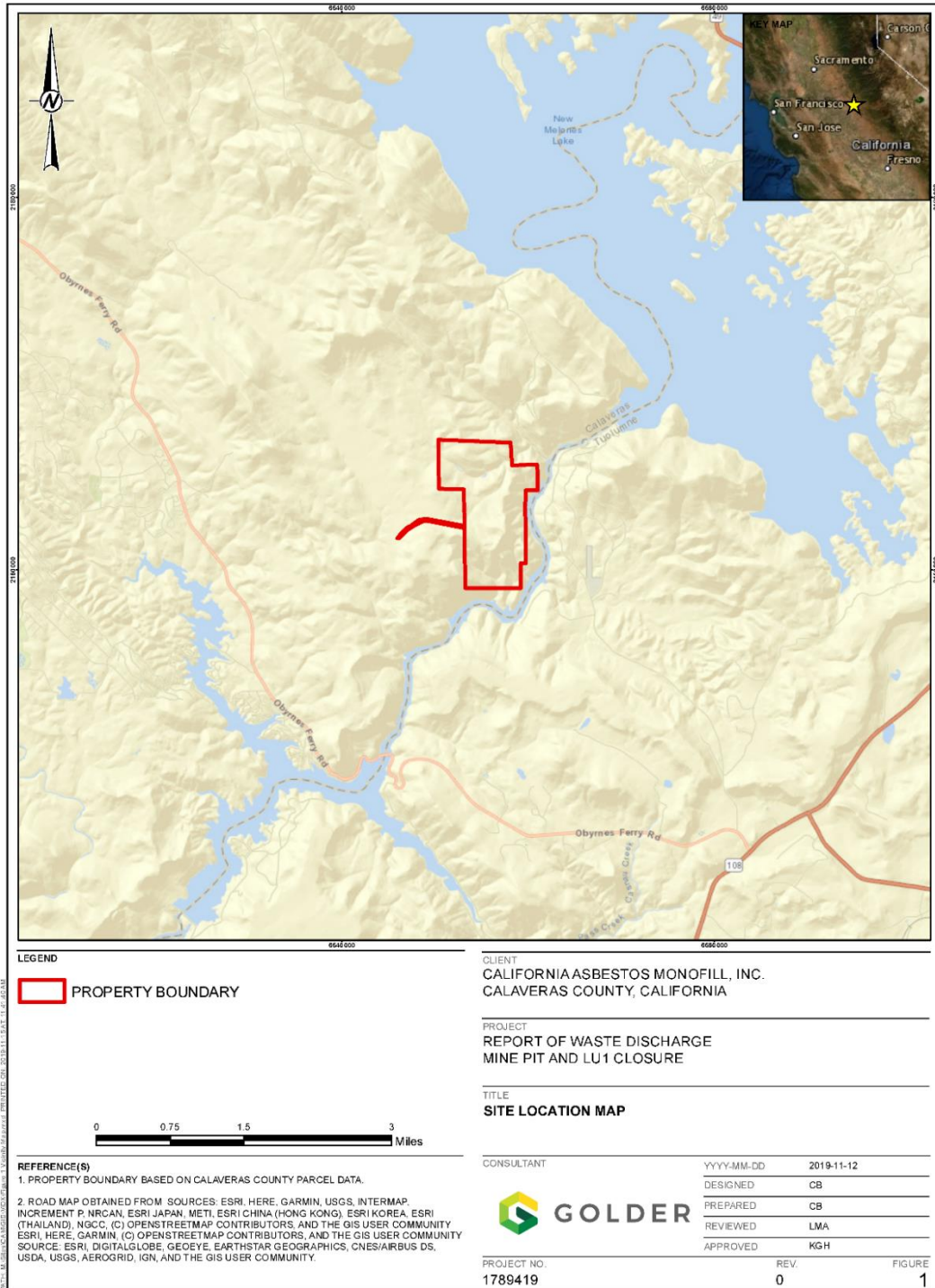
ENFORCEMENT

If, in the opinion of the Executive Officer, the Dischargers fail to comply with the provisions of this Order, the Executive Officer may refer this matter to the Attorney General for judicial enforcement, may issue a complaint for administrative civil liability, or may take other enforcement actions. Failure to comply with this Order may result in the assessment of Administrative Civil Liability of up to \$10,000 per violation, per day, depending on the violation, pursuant to the Water Code, including sections 13268, 13350 and 13385. The Central Valley Water Board reserves its right to take any enforcement actions authorized by law.

ADMINISTRATIVE REVIEW

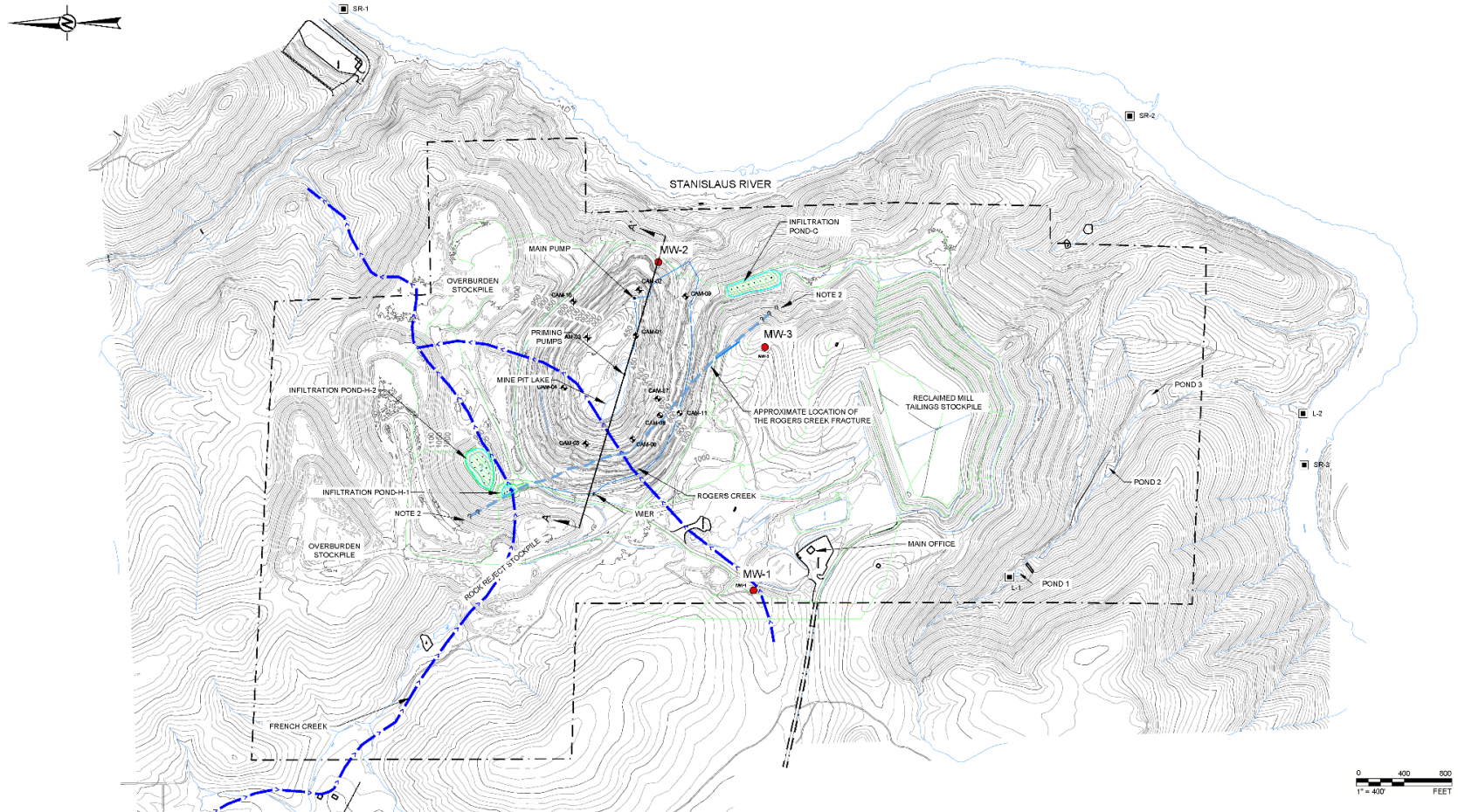
Any person aggrieved by this Central Valley Water Board action may petition the State Water Board for review in accordance with Water Code section 13320 and California Code of Regulations, title 23, section 2050 et seq. To be timely, the petition must be received by the State Water Board by 5:00 pm on the 30th day after the date of this Order; if the 30th day falls on a Saturday, Sunday or state holiday, the petition must be received by the State Water Board by 5:00 pm on the next business day. The law and regulations applicable to filing petitions are available on the [State Water Board website](http://www.waterboards.ca.gov/public_notices/petitions/water_quality) (http://www.waterboards.ca.gov/public_notices/petitions/water_quality). Copies will also be provided upon request.

ATTACHMENT A—FACILITY LOCATION



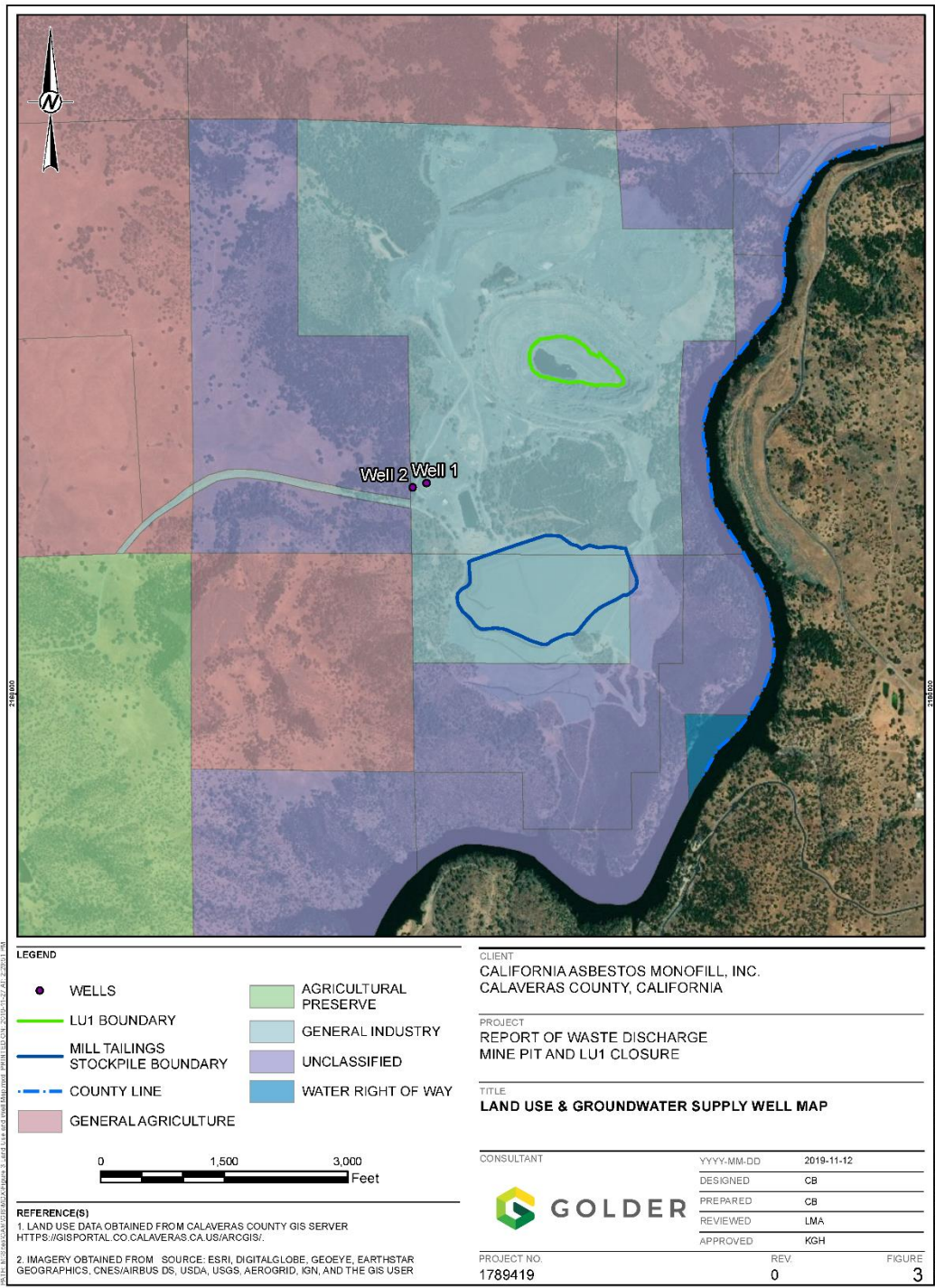
Drawing Reference: Report of Waste Discharge (2019), Figure 1

ATTACHMENT B—FACILITY FEATURES AND MONITORING NETWORK



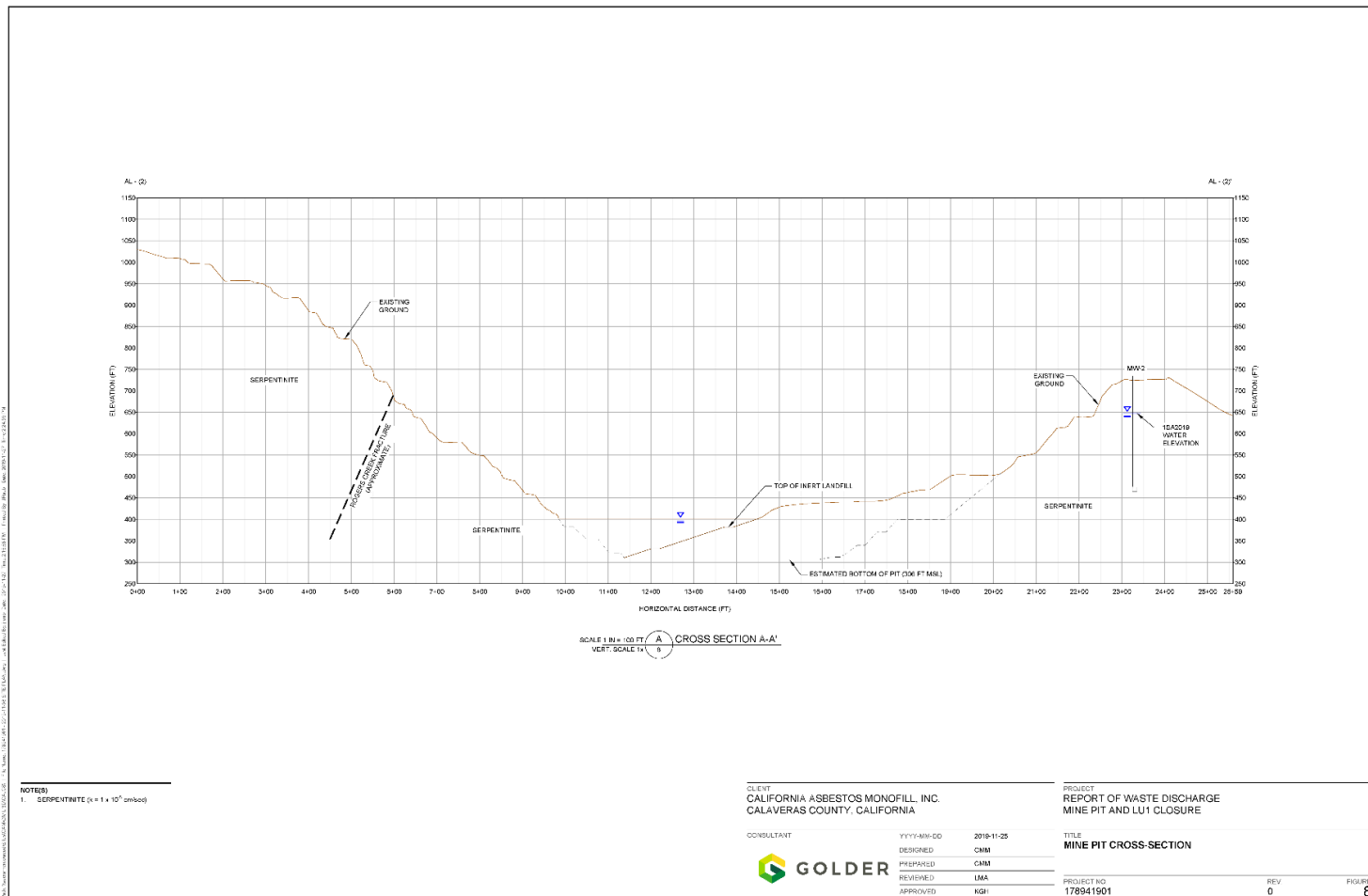
Drawing Reference: Report of Waste Discharge (2019), Figure 2

ATTACHMENT C—LAND USE



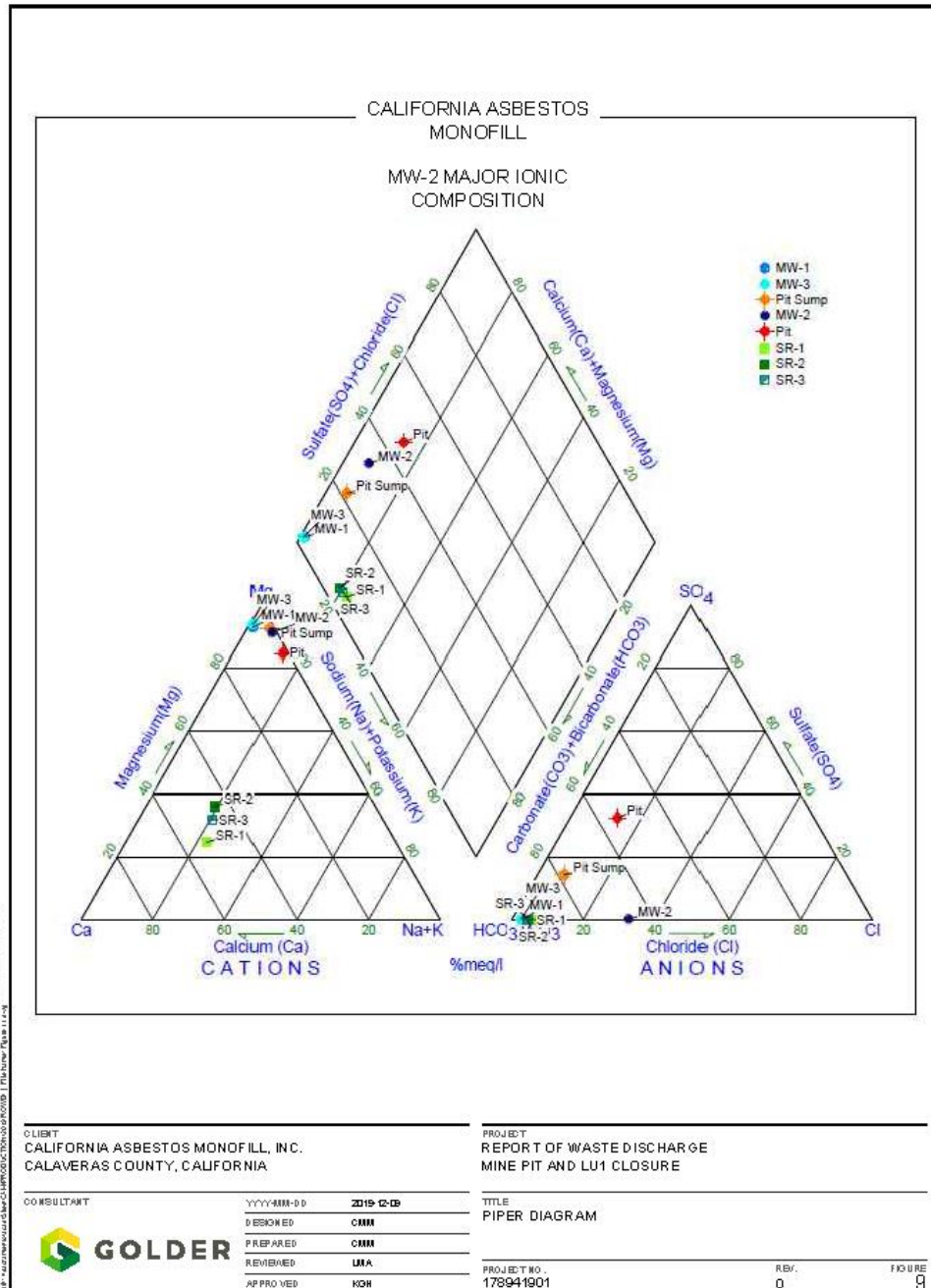
Drawing Reference: Report of Waste Discharge (2019), Figure 3.

ATTACHMENT D—MINING PIT/LU-1 CROSS-SECTION



Drawing Reference: Report of Waste Discharge (2019), Figure 8.

ATTACHMENT E—GROUNDWATER AND PIT WATER PIPER DIAGRAM



Report of Waste Discharge (2019), Figure 9

INFORMATION SHEET

California Asbestos Monofill, Inc. (Discharger), owns and operates California Asbestos Monofill (Facility), located approximately 5 miles southeast of Copperopolis in Calaveras County. The facility is a former asbestos mine which operated from 1962 through 1987. In 1990, the open pit started operating as an unclassified inert waste landfill LU-1 for asbestos containing waste (ACW). In 1998, the facility started to accept shredded tires. The open pit was operated as an unclassified landfill until 2016 when it ceased to accept waste and the Discharger shifted their focus to closure. The Facility waste management/mining units consist of unclassified LU-1 operated as inert waste landfill in the former mining pit, reclaimed and closed mill tailings stockpile, rock reject and overburden rock stockpiles, three evaporation/infiltration ponds, and stormwater retention ponds.

On 20 September 2022, the Discharger submitted a request for change in Threat to Water Quality and Complexity (TTWQ/C) classification for the facility. Specifically, the Discharger requested a decrease in Complexity from **B** to **C**.

The analysis of Facility conditions suggests that following pit/LU-1 closure the complexity of the Facility decreased and that the requested Complexity C is appropriate for California Asbestos Monofill because:

- a. The facility does not discharge or store toxic or designated waste.
- b. The closed mining units contain either inert waste or Group C mining waste.
- c. The Facility doesn't operate any waste treatment systems.

The analysis of conditions at the Facility supports the Dischargers' request that the TTWQ/C **2 C** is appropriate. Therefore, this Order amends Order R5-2020-0060 and changes the California Asbestos Monofill TTWQ/C classification from **2 B** to **2 C**. The amended Order R5-2020-0060-01 is enclosed as Attachment I.