

## DOCKETED

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| <b>Docket Number:</b>   | 86-AFC-01C   |
| <b>Project Title:</b>   | Compliance - Application for Certification for the (ACE) Argus Cogeneration Expansion AFC                              |
| <b>TN #:</b>            | 217880-2   |
| <b>Document Title:</b>  | ACE Cogen - 2017 PTA Landfill Separation - Attachment 2  |
| <b>Description:</b>     | ACE Cogen - 2017 PTA Landfill Separation Attachment 2 - Lahontan Regional Water Quality Control Board Rescission Order |
| <b>Filer:</b>           | Mary Dyas  |
| <b>Organization:</b>    | Ace Cogeneration Company   |
| <b>Submitter Role:</b>  | Applicant  |
| <b>Submission Date:</b> | 6/6/2017 10:35:22 AM   |
| <b>Docketed Date:</b>   | 6/6/2017   |

**Attachment 2  
Lahontan Regional Water Quality Control Board Rescission Order**

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LAHONTAN REGION**

**BOARD ORDER NO. R6V-2017-0004  
WDID NO. 6B368907002**

**RESCISSION OF WASTE DISCHARGE REQUIREMENTS  
BOARD ORDER NO. 6-00-92**

**FOR**

**ACE COGENERATION COMPANY  
ASH LANDFILL**

\_\_\_\_\_ San Bernardino County \_\_\_\_\_

The California Regional Water Quality Control Board, Lahontan Region (Water Board) finds:

1. Discharger

ACE Cogeneration Company L.P. (ACE) owns and operated a boiler ash landfill facility (Facility) on their property. The property was formerly owned by Searles Valley Minerals, previously known as IMC Chemicals. As such, ACE is named as the Discharger and is herein referred to as the Discharger. ACE also owns and operated a solid fuel (coal and/or petroleum coke) atmospheric fluidized bed combustor boiler at an electrical power and process steam cogeneration plant (Plant) in Trona, near the west side of Searles Dry Lake. The Facility is located about 1,000 feet north of this Plant.

2. Facility

The Facility consists of five unlined, unclassified, landfill cells that have received an inert ash waste stream from the Plant. Approximately 50,000 tons of ash per year have been discharged to these cells since 1990. As each cell reached capacity, they were closed with a soil cover and graded to prevent erosion. Cells 1, 2, 3 and 4 have been closed; cell 5 is the only remaining active cell.

3. Order History

- a. The Facility previously operated under Waste Discharge Requirements (WDRs), Board Order No. 6-90-05, adopted on January 11, 1990, and Board Order No. 6-90-05A1, adopted on March 5, 1998.
- b. The Water Board adopted revised WDRs, Board Order No. 6-00-92, on November 15, 2000.

4. Basis for Rescission

- a. WDRs, Board Order No. 6-00-92, Findings 6, 7, 8, and 10 describe the waste unit and waste disposal at the Facility. Only inert waste has been discharged at the Facility, which is an unlined, unclassified waste management unit. Testing performed on samples collected from the ash waste since 1997 further support the inert designation. California Code of Regulations (CCR), title 27, section 20230 defines inert waste as “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.”
- b. Prescribing either individual or general Waste Discharge Requirements is optional for discharge of inert waste to land as allowed by CCR, title 27, section 20230.
- c. Semi-Annual Monitoring Reports submitted in compliance with WDRs, Board Order No. 6-00-92, which include monitoring data from the unsaturated zone, indicate the waste is not a threat to groundwater.
- d. The beneficial use of the groundwaters of Searles Valley is limited to Industrial Service Supply (IND).
- e. As of October 1, 2014, the Discharger has ceased operating the Plant, and, therefore, ceased discharging to the Facility. The Discharger intends to decommission the Plant and close/reclaim cell 5 at the Facility.

5. Conclusion

The waste that has been discharged to the Facility does not pose a threat to water quality, and, therefore, requiring continued monitoring of the site under WDRs would not be in the public interest. Rescinding Board Order No. 6-00-92 is appropriate and is in the public interest.

6. California Environmental Quality Act

Issuance of this Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000, et seq.), in accordance with title 14, CCR, section 15321.

7. Notification of Interested Parties

The Water Board has notified the Discharger and interested persons of its intent to rescind WDRs, Board Order No. 6-00-92.

8. Public Meeting

The Water Board, in a public hearing, heard and considered all comments pertaining to this Rescission Order.

**IT IS HEREBY ORDERED** that Waste Discharge Requirements, Board Order No. 6-00-92 is hereby rescinded.

I, Patty Z. Kouyoumdjian, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Lahontan Region, on January 11, 2017.



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PATTY Z. KOUYOUMDJIAN  
EXECUTIVE OFFICER