

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

415 Knollcrest Drive, Suite 100
Redding, CA 96002

PUBLIC HEARING

concerning

Tentative Waste Discharge Requirements
(National Pollutant Discharge Elimination System Permit)
and
Adoption of a Cease and Desist Order
for

**SOPER COMPANY
SPANISH MINE
NEVADA COUNTY**

Soper Company (hereinafter Discharger) has applied for a National Pollutant Discharge Elimination System (NPDES) Permit to discharge mine drainage from the inactive Spanish Mine to Poorman Creek, a tributary to the Yuba River and Sacramento River.

The historic discharge from two mine portals of the gold and barite mine has occurred since at least the early 1990's and contains pollutants including heavy metals and low pH solutions. The current discharge rate is approximately 0.12 mgd. The proposed permit will require the Discharger to implement Best Management Practices to reduce the discharge of pollutants to surface waters. Since the discharge is continuous and various remedial activities will be required to reduce the discharges, a Cease and Desist Order with a time schedule will accompany the NPDES permit. The discharge is classified as a minor discharge.

This item was originally scheduled for the March 2008 meeting but has been rescheduled. A public hearing concerning this matter will be held during the Central Valley Regional Water Quality Control Board (Regional Water Board) meeting, which is scheduled for:

DATE: 31 July/ 1 August 2008
TIME: 8:30 a.m.
PLACE: Regional Water Board Room
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670

The designated parties for this hearing are as follows:

- Staff of Central Valley Regional Water Board
- Soper Company
- California Sportfishing Protection Alliance

Only designated parties will have these rights: to call and examine witnesses; to introduce exhibits; to cross-examine opposing witnesses; to impeach any witness; and to rebut the evidence against him or her. All other persons wishing to testify or provide comments are interested persons and not designated parties. Such interested persons may request status as a designated party for purposes of this hearing by submitting such request in writing to the Regional Water Board no later than 25 February 2008. The request must explain the basis for status as a designated party and in particular how the person is directly affected by the discharge.

The tentative Waste Discharge Requirements were issued on **23 May 2008**. Persons wishing to comment on this noticed hearing item shall submit testimony, evidence, if any, and/or comments in writing to the Regional Water Board no later than by noon on **23 June 2008**. Written evidence or comments submitted after noon on **23 June 2008** will not be accepted and will not be incorporated into the administrative record if doing so would prejudice any party. Comments should be directed to:

Philip Woodward, Senior Engineering Geologist
Central Valley Regional Water Quality Control Board
415 Knollcrest Drive, Suite 100
Redding, CA 96002

All designated parties and interested persons may speak at the Regional Water Board meeting, and are expected to orally summarize their written submittals. Oral testimony and cross-examination will be limited in time by the Regional Water Board Chair.

Interested parties may download the tentative Order and related documents from the Regional Water Board's Internet website at

http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/index.shtml

under the heading of "Discharger-Specific Orders for Future Board Meetings." Copies of these documents can also be obtained by contacting or visiting the Regional Water Board's office at 415 Knollcrest Drive, Suite 100, Redding, California 96002 weekdays between 8:00 a.m. and 5:00 p.m. Anyone having questions on the tentative Order should contact Mr. Philip Woodward at (530) 224-4853.

The procedures governing Regional Water Board meetings may be found at Title 23, California Code of Regulations, Section 647 et seq. and are available upon request. Hearings before the Regional Water Board are not conducted pursuant to Government Code section 11500 et seq.

The procedures may be obtained by accessing http://www.waterboards.ca.gov/water_laws/. Information on meeting and hearing procedures is also available on the Regional Water Board's website at

http://www.waterboards.ca.gov/centralvalley/board_meetings/mtgprocd.html or by contacting any one of the Regional Water Board's offices. Questions regarding such procedures should be directed to Ms. Kiran Lanfranchi-Rizzarda at (916) 464-4839.

NOTICE OF PUBLIC HEARING
SOPER COMPANY, SPANISH MINE
NEVADA COUNTY

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The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Ms. Kiran Lanfranchi-Rizzardi at (916) 464-4839 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Please bring the above information to the attention of anyone you know who would be interested in this matter.

James C. Pedri, P.E.
Assistant Executive Officer

PVW: sae
5/20/2008