



**Receiving Water Characteristics:** Groundwater in the area of the facility is at a depth of approximately 68-100 feet, and is contaminated with varying levels of nitrates as a result of past Army base operations. Monitor well 19 (shallower well-60' -69'), downgradient of the ponds has elevated levels of nitrate near the action level of 10 mg/L nitrate beginning in 2005. Monitor well 18 (deeper well-104'-109') has low levels of nitrate reported (3 mg/L). Both wells are located approximately 365' downgradient of the ponds. It is possible that the shallower well is intercepting leakage from the ponds, but is more likely capturing the Amound effect@ from the RIBs as they are closest to the monitor wells, and yet potentially the ponds as well, if there is any leakage.

**Procedures for Public Comment:** The Notice of the Division's intent to reissue a permit authorizing the facility to discharge to groundwaters of the State of Nevada subject to the conditions contained within the permit, is being sent to the **Reno Gazette-Journal and Mineral Co. Independent** for publication. The notice is being mailed to interested persons on our mailing list. Anyone wishing to comment on the proposed permit can do so in writing for a period of 30 days following the date of the public notice. The comment period can be extended at the discretion of the Administrator.

A public hearing on the proposed determination can be requested by the applicant, any affected State, any affected interstate agency, the Regional Administrator or any interested agency, person or group of persons. The request must be filed within the comment period and must indicate the interest of the person filing the request and the reasons why a hearing is warranted.

Any public hearing determined by the Administrator to be held must be conducted in the geographical area of the proposed discharge or any other area the Administrator determined to be appropriate. All public hearings must be conducted in accordance with NAC 445A.238.

The final determination of the Administrator may be appealed to the State Environmental Commission pursuant to NRS 445A.605.

### **Proposed Determination**

The Division has made the tentative determination to issue the proposed permit.

**Proposed Effluent Limitations: ,**

See above.

**Schedule of Compliance and Special Conditions**

1. The Permittee shall install staff gauges in both treatment ponds by September 30, 2008. Photos documenting the staff gauge installation in each pond shall be submitted to the Division with the 4<sup>th</sup> Quarterly DMR Report.
2. The Permittee shall provide the Division a Plan and schedule for a characterization of sludge accumulation in the two ponds by July 30, 2008. If the sludge is 20% or more of operating volume of either or both ponds, then a plan and schedule for sludge removal from ponds 1 and or 2 shall be submitted to the Division by October 30, 2008.
3. The RIBs shall each be dried and scarified on an annual rotational basis to maintain proper percolation/disposal. Photos documenting this rotation and maintenance shall be submitted to the Division with the 4<sup>th</sup> Quarterly DMR Report.
4. The Permittee shall have an Engineer inspect the condition of the clay liners when the sludge is removed in either or both ponds to determine if the integrity and condition of the clay liners has been altered. If damaged or degraded, a plan and schedule for relining the ponds shall be submitted to the Division for review and approval.

**Rationale for Permit Requirements**

Monitoring is required to assess the level of treatment being provided, to ensure that the waters of the State are not degraded, and to determine when design capacity is being approached.

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June, 2008

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