

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

MONITORING AND REPORTING ORDER NO. R5-2012-0802

CALIFORNIA WATER CODE SECTION 13267
FOR
JOHN TAYLOR FERTILIZERS AND WILBUR-ELLIS COMPANY
YUBA CITY FACILITY
SUTTER COUNTY

This Order is issued to John Taylor Fertilizers, a wholly owned subsidiary of Wilbur-Ellis Company (hereafter Discharger) pursuant to California Water Code section 13267, which authorizes the Executive Officer of the California Regional Water Quality Control Board, Central Valley Region (hereafter Central Valley Water Board) to issue a Monitoring and Reporting Order (Order).

The Executive Officer finds:

INTRODUCTION

1. John Taylor Fertilizers operates a retail fertilizer distribution facility. In 1998, pollutants were detected in groundwater beneath the facility.
2. The Yuba City facility is at 900 North George Washington Boulevard (Site). The pollutants 1,2-dichloropropane, 1,2,3-trichloropropane, and nitrate were found in soil and groundwater. Groundwater is encountered about 15 feet below ground surface. This pollution has impaired the beneficial use of groundwater resources at the Site.
3. In 2001, John Taylor Fertilizers excavated and removed 2,000 cubic yards of soil containing 1,2,3-trichloropropane. In 2000 and 2004, John Taylor Fertilizers injected Hydrogen Releasing Compound (HRC) along the downgradient Site boundary to remediate pollutants in groundwater. In 2004, John Taylor Fertilizers installed infrastructure, provided municipal water to businesses and residences in the downgradient neighborhood, and destroyed domestic water supply wells.
4. This Monitoring and Reporting Order is issued by the Central Valley Water Board, pursuant to California Water Code (CWC) section 13267 and is necessary to monitor groundwater pollutant plumes and to determine whether remediation efforts have been effective.
5. Existing data and information about the Site show the presence of pollutants including 1,2,3-trichloropropane, 1,2-dichloropropane, and nitrate in downgradient groundwater that originated from the property under the control of the Discharger. The Discharger is responsible for the discharge, because it operated the fertilizer retail facility at the Site.
6. The Discharger shall not implement any changes to this Order unless and until a revised Order is issued by the Executive Officer. This Monitoring and Reporting

Order replaces the requirements listed in Order No. R5-2004-0815, which was issued on 21 April 2004.

7. Prior to construction of any new groundwater monitoring or extraction wells, and prior to destruction of any groundwater monitoring or extraction wells, the Discharger shall submit plans and specifications to the Central Valley Water Board for review and approval. Once installed, all new monitoring wells shall be added to the monitoring program and shall be sampled and analyzed according to the schedule below.

LEGAL PROVISIONS

8. CWC section 13267 states, in part:

(b)(1) In conducting an investigation, 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.

The reports required herein are necessary for the reasons described in this Order, to assure protection of waters of the state, and to protect public health and the environment.

9. CWC section 13268 states, in part:

(a)(1) Any person failing or refusing to furnish technical or monitoring program reports as required by subdivision (b) of Section 13267 . . . or falsifying any information provided therein, is guilty of a misdemeanor and may be liable civilly in accordance with subdivision (b).

(b)(1) Civil liability may be administratively imposed by a regional board in accordance with Article 2.5 (commencing with Section 13323) of Chapter 5 for a violation of subdivision (a) in an amount which shall not exceed one thousand dollars (\$1,000) for each day in which the violation occurs.

Failure to submit the required reports to the Central Valley Water Board according to the schedule detailed herein may result in enforcement action(s) being taken against you, which may include the imposition of administrative civil liability pursuant to CWC section 13268. Administrative civil liability of up to \$1,000 per violation per day may be imposed for non-compliance with the directives contained herein.

REQUIRED ACTIONS

IT IS HEREBY ORDERED that, pursuant to California Water Code section 13267, John Taylor Fertilizers shall conduct monitoring and reporting in compliance with the following:

Monitoring Specifications

1. The Discharger shall implement monitoring according to the schedule shown in Table 1. There are 15 monitoring wells as shown in Figure 1 associated with the site (MW-1A, MW-1B, MW-2A, MW-3A, MW-4A, MW-4B, MW-5B, MW-6A, MW-6B, MW-7A, MW-8A, MW-9A, MW-10A, MW-10B, and MW-10C).
2. The Discharger shall collect and analyze samples according to standard Environmental Protection Agency (EPA) protocol using the methods shown in Table 1.

Table 1. Analytical Methods

Constituents	Analytical Method	Maximum Practical Quantitation Limit ¹
Depth to Groundwater	Field Meter	---
pH, temperature, electrical conductivity	Field Meter	Varies
Total Dissolved Solids	EPA 160.1	10 mg/L
Total Oxidizable Nitrogen	EPA 353.2 or SM4500	1 mg/L
1,2,3-trichloropropane ²	EPA 8260B, 504.1, or SRL 524M-TCP	5.0, 0.02, or 0.005 ug/L
Volatile Organic Compounds (including 1,2-dichloropropane)	EPA 8260B	Various (1.0 for 1,2-dichloropropane)

¹ If the maximum practical quantitation limit is exceeded for a non-detectable result, the Discharger shall provide an explanation in the report text. All concentrations between the Method Detection Limit and the Practical Quantitation Limit shall be reported as trace.

² If 1,2,3-TCP concentrations in a monitoring well are expected to exceed 5.0 ug/L, Method 8260B may be used. If 1,2,3-TCP is expected to exceed 0.02 ug/L, then Method 504.1 may be used. If 1,2,3-TCP is not detected greater than 0.02 ug/L, then SRL 524M-TCP must be used in the next regularly scheduled sampling event.

3. Groundwater samples shall be obtained and analyzed according to the schedule shown in Table 2.

Table 2. Groundwater Monitoring Schedule ^{3,4}

	Groundwater Elevations	Total Dissolved Solids	Nitrate, nitrite (as N)	Volatile organic compounds	1,2,3-trichloropropane
MW-1A	A	A ⁵	A	A	A
MW-1B	A	A ⁵	A	A	A
MW-2A	A		A	A	A
MW-3A	A		A	A	A
MW-4A	S	A ⁵	A	A	S
MW-4B	S	A ⁵	A	A	S
MW-5B	S		A	A	S
MW-6A	TBD				
MW-6B	A		A	A	A
MW-7A	TBD				
MW-8A	A		A	A	A
MW-9A	A		A	A	A
MW-10A	S		A	A	S
MW-10B	S	A ⁵	A	A	S
MW-10C	A		A	A	A

³ S = Semi-annually, in the 1st and 3rd quarters (January-March, and July-September).

A = Annually in the 3rd quarter (July-September).

TBD = Monitoring well to be destroyed. No monitoring required.

⁴ Any monitoring wells installed subsequent to the issuance of this Monitoring and Reporting Program shall be analyzed for four consecutive semi-annual monitoring events for all above listed analytes. If, after four events, concentrations of constituents are stable or low or have not been detected, monitoring can be reduced to an annual basis for that constituent upon concurrence from Central Valley Water Board staff.

⁵ Annually in even-numbered years.

4. Monitoring wells with free product or a visible sheen (if applicable) shall be monitored at a minimum for product thickness and depth to water.

Reporting Specifications

5. When reporting data, the Discharger shall arrange the information in tabular form so that the date, the constituents, and the concentrations are readily discernible and shall summarize the data in such a manner as to illustrate clearly the compliance with this Order.

6. As required by the California Business and Professions Code sections 6735, 7835, and 7835.1, all reports shall be prepared by a registered professional or their subordinate and shall be signed by the registered professional.
7. The first semi-annual analytical results, which are to be obtained in the first quarter, shall be uploaded to the State Water Resources Control Board Geotracker database by **1 May** until such time as the Executive Officer determines that the reports are no longer necessary.
8. The first semi-annual electronic data reports shall be submitted to this Central Valley Water Board office by **1 May** until such time as the Executive Officer determines that the reports are no longer necessary. Each report shall include tables including well number, groundwater elevations, and cumulative constituent concentrations. Each report shall also include a site map illustrating location of all monitoring wells. Electronic data reports may be submitted on electronic media, or transmitted by email.
9. Annual electronic reports, which conform to the requirements of the California Code of Regulations, Title 23, Division 3, Chapter 30, shall be submitted electronically over the internet to the State Water Resources Control Board Geotracker database system by **1 November**, until such time as the Executive Officer determines that the reports are no longer necessary.
10. Annual paper copy reports shall be submitted to the Central Valley Water Board by **1 November** of each year until such time as the Executive Officer determines that the reports are no longer necessary. Each report shall include the following minimum information:
 - (a) Field logs for all monitoring events conducted within the current year that contain, at a minimum, water quality parameters measured before, during, and after purging, method of purging, depth of water, volume of water purged, etc.
 - (b) A table showing well construction details such as well number, groundwater zone being monitored, coordinates (longitude and latitude), reference elevation, elevation of screen, and elevation of well bottom.
 - (c) Cumulative data tables for all major constituents of concern containing the water quality analytical results and depth to groundwater for all monitoring wells.
 - (d) A copy of the laboratory analytical data reports, which may be provided on electronic media and included in the report.
 - (e) A table showing historical lateral and vertical (if applicable) flow directions and gradients.
 - (f) Both tabular and graphical summaries of all data obtained during the year.

- (g) Groundwater contour maps and pollutant concentration maps containing all data obtained during the current year.
 - (h) A discussion of the long-term trends in the concentrations of the pollutants in the groundwater monitoring wells.
 - (i) A description of all remedial activities conducted during the year, an analysis of their effectiveness in removing the pollutants, and plans to improve remediation system effectiveness.
 - (j) An identification of any data gaps and potential deficiencies/redundancies in the monitoring system or reporting program.
 - (k) If applicable, a proposal and rationale for any revisions to the groundwater sampling plan frequency and/or list of analytes.
11. The results of any monitoring done more frequently than required at the locations specified in the Monitoring and Reporting Order also shall be reported to the Central Valley Water Board.
12. The Discharger shall implement the above monitoring program as of the effective date of the Order.


Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Resources Control Board to review the action in accordance with CWC section 13320 and California Code of Regulations, Title 23, Sections 2050 and following. The State Water Resources Control Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at: http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

This Order is effective upon the date of signature.

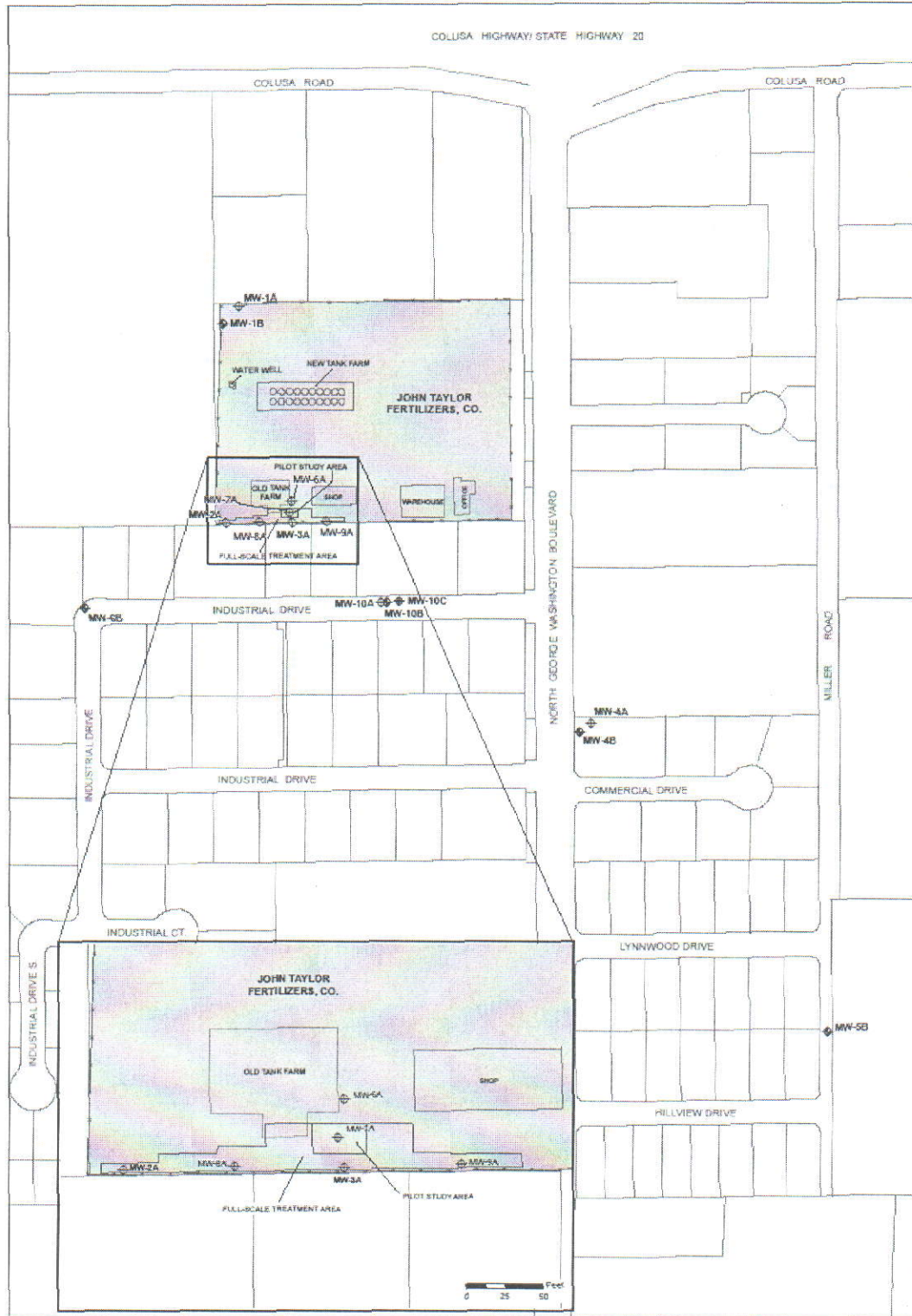
Ordered by:



for PAMELA C. CREEDON, Executive Officer



(Date)



Legend

- ⊕ MW-1A Shallow Monitoring Well
- ⊕ MW-1B Deep Monitoring Well
- ⊕ MW-10C Vertical Extent Monitoring Well

John Taylor Fertilizers Facility

— Fence

NOTE: Wells monitored on semi-annual basis are labeled in bold.

Parcel Map adapted from Sutter County Tax Assessor.

0 50 100 200 Feet

Figure 1
 Well Locations

John Taylor Fertilizers Co.
 Yuba City, California

Project: WRD250 April 2011 **CompuMap**[®]

F:\2012\YubaCity\proj\20121210_1_SemiAnnual2012.mxd