

**STATE WATER RESOURCES CONTROL BOARD
BOARD MEETING SESSION – DIVISION OF FINANCIAL ASSISTANCE
JULY 7, 2009**

ITEM 3

SUBJECT

CONSIDERATION OF A RESOLUTION AMENDING THE APPROVAL OF CLEANUP AND ABATEMENT ACCOUNT (CAA) FUNDS FOR THE SANTA ANA REGIONAL WATER QUALITY CONTROL BOARD (SANTA ANA WATER BOARD) RELATED TO PERCHLORATE AND VOLATILE ORGANIC COMPOUNDS (VOC) IN THE RIALTO AREA

DISCUSSION

The Santa Ana Water Board requests to amend a previous approval of CAA funds and to re-direct the remaining funds to support a new project related to perchlorate/VOC in the Rialto area.

Perchlorate pollution in the Rialto Groundwater Management Zone poses a potential threat to public health. A significant source of this pollution is from an area generally referred to as the 160-acre site, located in the City of Rialto. The City of Rialto and the West Valley Water District (WVWD) submitted a request in February 2008 for funds from the CAA to conduct a regional groundwater study related to the groundwater contamination in the Basin. The State Water Resources Control Board (State Water Board) subsequently adopted [Resolution No. 2008-0018](#) on March 18, 2008, approving \$3 million for this purpose.

The regional groundwater study was to include an additional soil investigation at the 160-acre site, development of a long-term perchlorate/VOC remediation plan, and installation of three multi-port monitoring wells and three nested monitoring wells. The United States Environmental Protection Agency (U.S. EPA) is currently in the process of installing six-groundwater monitoring wells, and Emhart Industries, Inc. is conducting a soil investigation at the site in accordance with an agreement with U.S. EPA. This has prompted the shift of approach from investigation and remediation to wellhead treatment and hydraulic control.

In March 2009, the City of Rialto and WVWD entered into a Memorandum of Understanding for the purpose of developing a new plume interception and wellhead treatment project. The two agencies seek funding for this new project as an alternative to the work proposed in the prior request. The work proposed in both the prior and current requests is related to the perchlorate/VOC pollution in the Rialto area.

The Santa Ana Water Board requests that the remaining balance of the original \$3 million CAA project now be directed toward the new plume interception and wellhead treatment project termed the Joint Wellhead Treatment Project. This project is necessary to develop and initiate a remedial action plan for this perchlorate/VOC pollution.

POLICY ISSUE

Should the State Water Board approve a Resolution redirecting the balance of CAA funds approved by Resolution 2008-0018 to support the Joint Wellhead Treatment Project related to perchlorate/VOC in the Rialto area?

FISCAL IMPACT

As of May 19, 2009, the uncommitted CAA balance is estimated to be no less than \$2.5 million according to the most current data.

REGIONAL BOARD IMPACT

Yes, the Santa Ana Water Board.

STAFF RECOMMENDATION

That the State Water Board:

Redirect the balance of CAA funds approved by Resolution 2008-0018 to support the Joint Wellhead Treatment Project related to perchlorate/VOC in the Rialto area.

State Water Board action on this item will assist the Water Boards in reaching Goal 4 of the Strategic Plan Update: 2008-2012, to comprehensively address water quality protection and restoration, and the relationship between water supply and water quality, and describe the connections between water quality, water quantity, and climate change, throughout California's water planning processes.

DRAFT

STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2009-

AMENDING THE APPROVAL OF CLEANUP AND ABATEMENT (CAA) FUNDS FOR THE SANTA ANA REGIONAL WATER QUALITY CONTROL BOARD (SANTA ANA WATER BOARD) RELATED TO PERCHLORATE AND VOLATILE ORGANIC COMPOUNDS (VOC) IN THE RIALTO AREA

WHEREAS:

1. The Santa Ana Water Board requests to amend a previous approval of CAA funds and to re-direct the remaining funds to support a new project related to perchlorate/VOC in the Rialto area;
2. Perchlorate pollution in the Rialto Groundwater Management Zone poses a potential threat to public health. A significant source of this pollution is from an area generally referred to as the 160-acre site, located in the City of Rialto;
3. In February 2008, the City of Rialto and the West Valley Water District (WVWD) requested funds from the CAA to conduct a regional groundwater study related to the groundwater contamination in the Basin. The State Water Resources Control Board (State Water Board) subsequently adopted [Resolution No. 2008-0018](#), approving \$3 million for this purpose;
4. The study was to include soil investigation, development of a long-term perchlorate/VOC remediation plan, and installation of monitoring wells. Currently, the United States Environmental Protection Agency (U.S. EPA) is in the process of installing six groundwater monitoring wells, and Emhart Industries, Inc. is conducting an additional soil investigation at the site in accordance with an agreement with U.S. EPA. These actions have prompted the shift of approach from investigation and remediation to wellhead treatment and hydraulic control;
5. In March 2009, the City of Rialto and WVWD entered into a Memorandum of Understanding for the purpose of developing a new plume interception and wellhead treatment project. The two seek funding for this project which is necessary to develop and initiate a remedial action plan for perchlorate/VOC pollution. The new project will serve as an alternative to the work proposed in the prior request;
6. It is requested that the remaining balance of the original \$3 million CAA project is re-directed toward the new plume interception and wellhead treatment project termed the Joint Wellhead Treatment Project; and
7. The requested allocation is consistent with the purposes of Water Code Section 13442. Water Code Section 13442 provides that the State Water Board may order moneys to be paid from the CAA to a public agency with the authority to cleanup or abate the effects of a waste in order "to assist in cleaning up the waste or abating its effects on waters of the state."

D R A F T

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Redirects the balance of CAA funds approved by Resolution 2008-0018 to support the Joint Wellhead Treatment Project related to perchlorate/VOC in the Rialto area;
2. Authorizes the Division of Financial Assistance (Division) Deputy Director to negotiate, execute and amend contracts for this purpose; and
3. The funds will be available until March 31, 2011. Any unexpended funds as of March 31, 2011, shall revert to CAA, unless the Division Deputy Director authorizes an extension.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Board held on July 7, 2009.

Jeanine Townsend
Clerk to the Board