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11 STATE OF CALIFORNIA

12 STATE WATER RESOURCES CONTROL BOARD

13 In the Matter of Los Angeles Regional Water
14 Quality Control Board 13267 Order –
15 Northridge Properties, LLC, former Zero
16 Corporation Facility, 777 North Front Street,
17 Burbank, California

18 NO.

19 PETITION FOR REVIEW, REQUEST FOR
20 HEARING AND REQUEST FOR STAY

21 Pursuant to Water Code Section 13320(a) and California Code of Regulations, Title 23,
22 Section 2050 *et seq.*, Northridge Properties, LLC (“Petitioner”), respectfully petitions the State
23 Water Resources Control Board (“State Board”) for review and for stay of a Water Code Section
24 13267 Order (the “Order”), dated May 10, 2011, issued by the Executive Officer of the Los
25 Angeles Regional Water Quality Control Board (“Regional Board”), including review of the
Regional Board’s cover letter, also dated May 10, 2011 (the “Board Letter”), regarding the Former
Zero Corporation Facility at 777 North Front Street, Burbank California (the “Former Zero
Facility”) (Regional Board File No. 109.6162). Copies of the Order and Board Letter are attached
hereto as collective Exhibit A.

26 **REQUEST FOR REVIEW**

27 **I. Name and Address of Petitioner.**

28 The Petitioner is Northridge Properties, LLC, a California corporation, 15505 Roscoe

1 Boulevard, North Hills, CA 91343. Petitioner may be contacted through counsel of record:
2 Donald C. Nanney, Gilchrist & Rutter Professional Corporation, 1299 Ocean Avenue, Suite 900,
3 Santa Monica, California 90401; (310) 393-4000; dnanney@gilchristutter.com.

4 **II. Specific Action or Inaction for Which this Petition for Review is Sought.**

5 The Regional Board action for which this petition for review is filed concerns the issuance
6 of the Order, entitled “Requirement to Provide Technical Report – Work Plan (California Water
7 Code Section 13267 [footnote omitted]), Directed to Northridge Properties, LLC, Former Zero
8 Corporation Facility, 777 North Front Street, Burbank, California (File No. 109.6162),” dated
9 May 10, 2011, together with the Regional Board’s cover letter, subject: “Requirement for
10 Technical Report, Pursuant to California Water Code Section 13267,” dated May 10, 2011. In
11 particular, the action or inaction in connection with which this petition for review is sought
12 include the following:

13 A. The Board Letter identifies APW North America as the “former”
14 responsible party rather than still the responsible party.

15 B. The Regional Board has not undertaken any efforts, or adequate efforts, to
16 locate APW North America or a successor person or entity.

17 C. The Board Letter and the Order reopen the Former Zero Facility and
18 disregard as “no longer binding” the Certificate of Completion, dated June 30, 2002 (the
19 “Certificate”) that was issued by the Regional Board with respect to the Former Zero Facility. A
20 copy of the Certificate is attached hereto as Exhibit B. The Board Letter and the Order reopen the
21 site for investigation of any hexavalent chromium (Cr6) impact to soil, without proper grounds
22 and without clarifying that the reopener is limited to such investigation and that the Certificate
23 otherwise remains binding.

24 D. In communications on June 8, 2011, between Regional Board staff and the
25 undersigned counsel for Petitioner, staff indicated that required sampling would include “Title 22

26 Metals (further speciating for Cr6, as needed where we find that total chromium values exceed
27 background)” (quote from email from the Alex Lapostol, Senior Technical Consultant to the
28 Regional Board).

1 E. Petitioner reserves the right at or before the requested hearing to state
2 additional specific actions or inactions for which review is sought.

3 **III. Date the Regional Board Acted or Failed to Act.**

4 Except with respect to item II.D. above, which occurred on June 8, 2011, the date of the
5 Regional Board's action or inaction that is subject to review is May 10, 2011, the date that the
6 Order and the Board Letter were signed, issued and mailed by the Executive Officer of the
7 Regional Board, without benefit of a public hearing.

8 **IV. Statement of Reasons the Action is Inappropriate and Improper.**

9 A. APW North America (formerly known as Zero Corporation) is still the
10 responsible party for the Former Zero Facility. Petitioner is not the discharger of any hazardous
11 materials at the Former Zero Facility and was not the owner of the site at the time of any alleged
12 discharges from the historical operations of Zero Corporation. Petitioner is only secondarily liable
13 as an innocent purchaser and current owner of the Former Zero Facility. The Regional Board
14 should have directed the Order to the responsible party, APW North America.

15 B. The Regional Board should have undertaken adequate efforts to locate
16 APW North America or a successor person or entity¹ so that the Order could be issued to the
17 responsible party or parties rather than to the Petitioner.

18 C. The Board Letter and the Order improperly disregard the statutory effect of
19 the Certificate. There is no proper or legally sufficient ground for reopening the Former Zero
20 Facility and issuing the Order. The Order and Board Letter include findings of fact and
21 conclusions that are not supported by substantial evidence in the record. In addition, the Board
22 Letter and the Order improperly indicate that the Certificate is no longer binding when it is still
23 binding. The Regional Board has no authority unilaterally to terminate its role and jurisdiction as
24 the Administering Agency for the Former Zero Facility under the Site Designation law or to
25 modify the effect of the Certificate as binding on all state and local agencies. Moreover, the
26 Regional Board failed to provide Petitioner with a meaningful opportunity to introduce evidence
27

28 ¹ This would include any individual or entity successor of APW North America or its assets or any persons or entities that may have assumed the liabilities of APW North America in general, or its liabilities with respect to the San Fernando Valley Superfund Site in particular.

1 or argument to refute the Order's factual findings and conclusions. As such, Petitioner has been
2 denied its right to procedural due process, resulting in substantial harm through the imposition of
3 unjustified and inappropriate regulatory requirements and the potential for imposition of civil
4 liability penalties for failure to comply with the Order.

5 D. The investigation that Regional Board staff proposes to require, as noted
6 above, would include testing of soil samples for the entire suite of Title 22 Metals notwithstanding
7 the fact that the Order and Board Letter are concerned only with Cr6. There is no basis in any
8 factual findings or authority under the Order for staff to require analytical testing for any
9 constituent other than Cr6.

10 E. Petitioner reserves the right at or before the requested hearing to state
11 additional reasons why the Regional Board's action or inaction is inappropriate and improper.

12 **V. How Petitioner is Aggrieved.**

13 Petitioner is aggrieved for the reasons set forth in Paragraph IV above. In addition:

14 A. The Regional Board has failed to undertake any efforts, or adequate efforts,
15 to identify the whereabouts of the responsible party, APW North America, or any successor
16 person or entity, that should be the recipient of the Order if there are good grounds for reopening
17 the Former Zero Facility for additional investigation. Petitioner is aggrieved by having to respond
18 as an innocent purchaser without any responsibility for causing the alleged conditions that are the
19 subject of the Order.

20 B. Petitioner purchased the Former Zero Facility in reliance on the Certificate,
21 and Petitioner is seriously aggrieved by the Regional Board's disregard of the Certificate and its
22 statutory effect, which unjustly forces Petitioner to incur significant expenses to comply with the
23 Order that should not be issued at all, or that should have been issued instead to the responsible
24 party, APW North America. Petitioner is further aggrieved by the Regional Board's erroneous
25 characterization of the Certificate as "no longer binding" when it remains in effect and binding on

26 all state and local agencies, including the Regional Board, and may continue to be relied upon by
27 the Petitioner and others.

28 C. Petitioner is aggrieved by staff's proposed expansion of the Order to include

1 testing of the entire suite of Title 22 Metals besides Cr6. If the Certificate is to be reopened, it
2 should be reopened only to the extent of the alleged basis for the reopener, which is limited to Cr6.
3 Petitioner should not be compelled to incur additional costs of reopening the closed investigation
4 as to the entire suite of Title 22 Metals.

5 D. Petitioner reserves the right at or before the requested hearing to state
6 additional ways in which it is aggrieved by the Regional Board's inappropriate and improper
7 action.

8 **VI. Petitioner's Requested Action by the State Board and Request to Hold Petition**
9 *to Stay the Order in Abeyance.* [See Below for Request]

10 Petitioner respectfully requests the State Board to determine that the Regional
11 Board's action in issuing the Order was inappropriate and improper, to vacate the Order and to
12 clarify the Board Letter pursuant to this petition and in accordance with applicable law.

13 **VII. Statement of Points and Authorities.**

14 Petitioner reserves the right at or before the requested hearing to submit additional
15 supporting materials and exhibits. Meanwhile, Petitioner submits the following statement of
16 points and authorities focusing on the legal effect of the Certificate and the absence of proper
17 grounds for issuance of the Order reopening the site.

18 **The Certificate Remains Binding**

19 The Certificate was issued by the Regional Board as the Administering Agency for the
20 Former Zero Facility under the Site Designation process pursuant to the Unified Agency Review
21 of Hazardous Materials Release Sites law, California Health and Safety Code (H&S Code) §§
22 25260 et seq. (commonly referred to as the Site Designation law). The Certificate is a much
23 stronger form of site closure than a typical "no further action" letter. By law, the Certificate
24 established the Regional Board's determination, as the Administering Agency, that the
25 investigation and remedial action was satisfactorily completed and that a permanent remedy had
26 been accomplished for the Former Zero Facility (H&S Code § 25264(b)). The Certificate is
27 binding on all state and local agencies and it remains in full force and effect and binding
28 notwithstanding the Regional Board's erroneous statement in the Board Letter that it is "no longer

1 binding.”

2 Pursuant to H&S Code §§ 25263 and 25264(c), once the Site Designation Committee has
3 named an Administering Agency for a site, there are very limited circumstances and specific
4 procedure under which another state or local agency may become involved with the site. In effect,
5 the Regional Board, as Administering Agency, has exclusive jurisdiction among state and local
6 agencies with respect to the hazardous materials conditions that were considered and resolved with
7 issuance of the Certificate. That jurisdiction continues after issuance of the Certificate and the
8 statute contains no provision for the Regional Board, as Administering Agency, to act unilaterally,
9 without action of the Site Designation Committee, so as to withdraw as Administering Agency or
10 to determine that the Certificate is no longer binding. Thus, the Regional Board remains the
11 Administering Agency for the Former Zero Facility, the Certificate remains in effect, and it was
12 erroneous for the Regional Board to state in the Board Letter that the Certificate is “no longer
13 binding” and to issue the Order in disregard of the Certificate.

14 **There are No Proper Grounds for Reopener**

15 Pursuant to H&S Code § 25264(c), the Regional Board, as Administering Agency, is itself
16 limited by law as to the circumstances and specific findings under which it may reopen the site
17 and require more work at the Former Zero Facility by the responsible party. The necessary
18 statutory findings and their application in this case are as follows:

19 **(1) Monitoring, testing, or analysis of the hazardous materials release site subsequent**
20 **to the issuance of the certificate of completion indicates that the remedial action**
21 **standards and objectives were not achieved or are not being maintained.**

22 The Board Letter and Order do not cite this ground and apparently concede that it is not
23 applicable. Indeed, after considering chromium as a chemical of concern at the Former Zero
24 Facility (see below), the Regional Board issued the Certificate without requiring any remedial
25 action with respect to chromium and there is therefore no basis for a finding that “remedial action
26 standards and objectives were not achieved or are not being maintained” as to chromium.

27 **(2) One or more of the conditions, restrictions, or limitations imposed on the site as**
28 **part of the remedial action or certificate of completion are violated.**

1 This potential ground for reopener does not apply because the Certificate contained no
2 conditions, restrictions or limitations on use of the Former Zero Facility. Hence, there is no basis
3 for a finding of any violation. The Order and Board Letter do not cite this ground and therefore
4 concede that it does not apply.

5 **(3) Site monitoring or operation and maintenance activities that are required as part**
6 **of the remedial action or certificate of completion for the site are not adequately**
7 **funded or are not properly carried out**

8 This potential ground for reopener does not apply because there were no required
9 monitoring or operation and maintenance activities after issuance of the Certificate. Therefore,
10 there is no basis for a finding of inadequate funding or improper performance. The Order and
11 Board Letter do not cite this ground and therefore concede that it does not apply.

12 **(4) A hazardous materials release is discovered at the site that was not the subject of**
13 **the site investigation and remedial action for which the certificate of completion was**
14 **issued.**

15 Under this ground for reopener, there must have been a discovery of a new or different
16 release to support the necessary finding. The Board Letter cites this ground indicating that it has
17 new information obtained from the Parcel Acquisition Site Investigation, 777 North Front Street,
18 dated June 30, 2009, prepared for the State of California Department of Transportation by Ninyo
19 & Moore (the "2009 CalTrans report"). That report is voluminous and is part of the administrative
20 record in the possession of the Regional Board; we will provide relevant excerpts from that report
21 in this petition. That report has findings that are consistent with reports and findings available
22 when the Certificate was issued and by no means reflects any new or different releases than
23 existed before.

24 It is important for the State Board to understand that the Former Zero Facility has remained
25 vacant throughout the entire time since issuance of the Certificate. The buildings were

26 demolished, the site has not been redeveloped and remains vacant to this day, so that there have
27 been no further manufacturing operations or handling of hazardous materials. The surface has
28 only occasionally been put to limited incidental uses under temporary licenses. Thus, there have

1 been no operations since issuance of the Certificate that could have given rise to any new
2 occurrences of any hazardous materials release, and there are no new site conditions for any
3 discovery.

4 See the next item, which similarly relates to new information, for further discussion as to
5 why this ground does not apply.

6 **(5) A material change in the facts known to the administering agency at the time the**
7 **certificate of completion was issued, or new facts, causes the administering agency to**
8 **find that further site investigation and remedial action are required in order to**
9 **prevent a significant risk to human health and safety or to the environment.**

10 The Board Letter cites this ground for reopener, but this ground does not apply because
11 chromium was considered as a part of the process leading up to the Certificate and there has been
12 no material change in known facts or new facts as to Former Zero Facility conditions and risk.

13 Prior to issuance of the Certificate, the Regional Board specifically considered the
14 emerging chemicals of concern at the time and required the responsible party to provide data
15 regarding chromium, MTBE and 1,4-dioxane as chemicals of concern for the Former Zero Facility
16 (in addition to volatile organic compounds (VOCs)). With respect to chromium, the Regional
17 Board had already begun its investigation of sources of Cr6 impact to the regional groundwater
18 contamination plume and was well aware of that issue. The Former Zero Facility was apparently
19 suspected in that regard, hence the directive to provide data before closure would be granted.

20 APW North America's consultants responded to the Regional Board's directives by
21 providing the available data as to chromium and MTBE. See Section 3.4 of the Work Plan, dated
22 June 26, 2000, by Hydro Geo Chem, Inc. (a copy of which is in the administrative record in the
23 possession of the Regional Board). As per the Work Plan, further testing was done as to 1,4-
24 dioxane, but the Regional Board did not require further work as to chromium and MTBE. Thus,
25 the Regional Board considered the existing data as to chromium and MTBE as well as the new
26 data obtained as to 1,4-dioxane, and the Regional Board – as the Administering Agency –
27 obviously found that all the data was acceptable for issuance of the Certificate. (As discussed
28 further below, the 2009 CalTrans report has raised no new issues regarding chromium or Cr6.)

1 There has been no material change in the facts known when the Certificate was issued and
2 no new relevant facts of which Petitioner is aware, certainly nothing indicating that further work is
3 required at this Former Zero Facility in order to prevent a significant risk to human health and
4 safety or to the environment. While it may be the motivation for the Order, the recent
5 establishment of the Chromium Operable Unit in the San Fernando Valley Superfund Site is not a
6 new fact as to the condition of the Former Zero Facility.

7 In previous communications with the undersigned counsel for Petitioner, the staff of the
8 Regional Board questioned how strategic were the locations for chromium soil sampling, even
9 though there were 18 locations across the Former Zero Facility as shown on Figure 10 in the
10 Hydro Geo Chem Work Plan. Staff also questioned the usefulness of the depths of those samples,
11 which were at depths of one to five feet. Staff raised that question even though, if there had been a
12 release of Cr6 from Former Zero Facility operations – and if it had managed somehow as a heavy
13 metal to penetrate the thick concrete floor – there should be a significant amount of residue in the
14 upper tier of soil especially given the extensive cover of the concrete (which remains in place) and
15 former buildings shielding the soil and eliminating any downward forcing from rainwater. Thus,
16 the sampling of the top tier of soil for chromium was a very useful screening.² In addition, other
17 sampling was done regarding heavy metals in purge water from groundwater monitoring wells at
18 greater depth, providing yet more useful screening information.³ Thus, very low levels of
19 chromium were found in the soil and the purge water, which was certainly a sufficient basis for the
20 Regional Board to determine, as it clearly did, that the issue of chromium (including Cr6) as a
21 chemical of concern for the Former Zero Facility had been satisfactorily resolved.

22 The chromium data was acceptable to the Regional Board for issuance of the Certificate,
23 and the Certificate has statutory weight that the Regional Board may not now ignore.

24
25 ² That data, stated in the Work Plan, came from the Report of Environmental Evaluation, 777 North Front Street,
26 dated October 1, 1997, by Law/Crandall. Chromium was found in all the samples, at background levels. To the
27 extent that the chromium in the samples included Cr6, that chromium was a low, background levels too.

28 ³ See, e.g., the Self Monitoring Report, dated December 5, 2001, by Hydro Geo Chem, Inc. (finding chromium at 12
ug/L in March 2001 purge water); Self Monitoring Report, dated May 1, 2000, by Hydro Geo Chem, Inc. (finding no
chromium in February 2000 purge water; and Self Monitoring Report, dated June 25, 1999, by Hydro Geo Chem, Inc.
(finding chromium at 6.3 ug/L in April 1999 purge water). Those Self Monitoring Reports are in the administrative
record in the possession of the Regional Board.

1 Staff's questions about the chromium data is the kind of second guessing that the
2 legislature sought to avoid by strictly limiting and requiring specific findings for reopener of sites
3 granted Certificates under the Site Designation law.

4 The only "new information" relied upon by staff of the Regional Board for issuance of the
5 Order, as stated in the Board Letter and the Order, is the 2009 CalTrans study, in particular its
6 finding of Cr6 in the soil.⁴ The 2009 CalTrans report (at page 14) contained this finding:

7 Hexavalent chromium was detected in four samples with the greatest
8 concentration of 0.18 mg/kg in soil sample 1001-106-5-S. The concentrations
9 of hexavalent chromium detected are below the PRGi of 200 mg/kg.

10 As shown in Table 3 (Soil Sample Analytical Results – Title 22 Metals) of the 2009
11 CalTrans Report (a copy of which Table 3 is attached hereto as Exhibit C), those four samples that
12 tested positive for Cr6 were among a total of 53 samples analyzed from 12 boring locations at
13 depths of 2, 5, 10 and 20 feet (much deeper than the earlier studies). Forty-nine of those samples
14 were "non-detect" for Cr6. In contrast, all the samples were positive for (total) chromium at low
15 levels consistent with previous studies. The four Cr6 findings were at a small fraction of the
16 chromium findings and at a very small fraction of the PRGi mentioned in the 2009 CalTrans
17 report (as quoted above), and that report found no cause for concern regarding Cr6.

18 Referring to the latest (May 2011) U.S. EPA Region 9 Regional Screening Levels (RSLs)⁵
19 for Cr6, the very low level of Cr6 found in the 2009 CalTrans study are well below the industrial
20 RSL for Cr6 (see [http://www.epa.gov/reg3hwmd/risk/human/rb-
21 concentration_table/Generic_Tables/xls/indsoil_sl_table_run_MAY2011.xls](http://www.epa.gov/reg3hwmd/risk/human/rb-concentration_table/Generic_Tables/xls/indsoil_sl_table_run_MAY2011.xls)) and also below even
22 the residential RSL for Cr6 (see [http://www.epa.gov/reg3hwmd/risk/human/rb-
23 concentration_table/Generic_Tables/xls/ressoil_sl_table_run_MAY2011.xls](http://www.epa.gov/reg3hwmd/risk/human/rb-concentration_table/Generic_Tables/xls/ressoil_sl_table_run_MAY2011.xls)).

24 Accordingly, the so-called "new information" contained in the 2009 CalTrans report is
25

26 ⁴ The Order also mentions the 2009 CalTrans report finding of some rebound in subsurface VOC concentrations.
27 However, as stated in the 2009 CalTrans report, the level of rebound is below the VOC cleanup level originally set for
the Former Zero Facility, and the Order contains no requirements related to the rebound finding. Therefore, we need
not address that finding any further.

28 ⁵ The RSLs have replaced the previous Region 9 Preliminary Remediation Goals (PRGs) mentioned in the 2009
CalTrans report.

1 completely consistent with previous data and provides no “material change in facts” and no proper
2 ground for the Order’s requirement for further study of Cr6 impact to soil at the Former Zero
3 Facility. It is clearly improper, based only on the minuscule finding of Cr6 in the 2009 CalTrans
4 study, for the Regional Board to reopen the site and issue the Order.

5 If the Certificate can be reopened on such flimsy grounds, that is cause for serious concern
6 regarding the effectiveness of a certificate of completion as compared to an ordinary no further
7 action letter. For that matter, the factual findings stated as grounds for the Order would be
8 insufficient to reopen even a no further action letter. The State Board should not countenance the
9 Regional Board’s disregard of the statutory effect of the Certificate and the legislative intent
10 behind the Site Designation law.

11 **(6) The responsible party induced the administering agency to issue the certificate of**
12 **completion by fraud, negligent or intentional nondisclosure of information, or**
13 **misrepresentation.**

14 There is no suggestion that this final potential ground for reopener has any applicability.

15 In short, the limited statutory grounds for reopener of the Certificate do not allow what
16 would amount to a fishing expedition because Regional Board staff members want to take another
17 look at the expense of the Petitioner (and even to test again for the entire suite of Title 22 Metals
18 when the Order concerns only Cr6). There is insufficient basis, indeed no basis, for any of the
19 specific statutory findings necessary to allow the issuance of the Order.

20 Petitioner strongly objects to the Order and the misstatements in the Board Letter.
21 Petitioner, as current owner of the Former Zero Facility, is entitled to the protection accorded by
22 the Certificate, especially as an innocent party having acquired the Former Zero Facility in
23 reliance on the Certificate. Petitioner appeals the Order as improper or, at best, premature without
24 sufficient statutory grounds and findings.

25 **VIII. Statement of Transmittal of Petition to the Regional Board and the**
26 **Discharger.**

27 Copies of this petition for review have been transmitted on June 9, 2011, to the Regional
28 Board, including to Samuel L. Unger, Executive Officer, as well as to certain members of the staff

1 of the Regional Board (including Larry Moore, Jeffrey Hu and Alex Lapostol). A copy of this
2 petition for review has not been transmitted as yet to the discharger and responsible party, APW
3 North America, because Petitioner is not aware of the current whereabouts of APW North
4 America or a successor person or entity. In the event that the Regional Board completes an
5 adequate investigation and identifies the whereabouts of APW North America or a successor
6 person or entity, or Petitioner otherwise obtains such information, Petitioner will provide a copy of
7 this petition promptly upon receipt of the contact information.

8 **IX. Substantive Issues Raised Before the Regional Board.**

9 As indicated above, approximately six months before the Order was issued, Petitioner's
10 undersigned counsel was contacted informally by Regional Board staff regarding the potential for
11 reopener of the site for further investigation of Cr6 and counsel provided staff with a
12 memorandum containing objections based on the Certificate and the limited statutory grounds for
13 reopener, including comments along the lines of the discussion set forth above. There was no
14 further communication regarding the views of the Regional Board as to the objections prior to
15 issuance of the Order and Board Letter. After the passage of many months without
16 communication, it appeared that the objections were accepted and the matter resolved without
17 disturbing the Certificate or reopening the site. There was no public hearing and no opportunity
18 was provided to review and discuss the specific findings and conclusions stated in the Order and
19 Board Letter (which had not been shared previously) prior to their issuance as a fait accompli.
20 Thus, Petitioner has not been afforded a meaningful opportunity to be heard on the substantive
21 issues set forth in the Order. Petitioner may continue efforts to resolve disputed issues with the
22 Regional Board staff, but Petitioner has no assurance that such efforts will be successful so that
23 Petitioner may be without an adequate remedy unless the State Board grants this petition for
24 review and a hearing with respect to the issues presented herein.

25 **REQUEST FOR STAY**

26 In accordance with Water Code Section 13321(a) and Section 2053 of Title 23 of the
27 California Code of Regulations, Petitioner hereby requests a stay of the Order. The grounds for
28 stay are set forth below in light of the circumstances discussed in the foregoing request for review

1 and in the supporting Declaration of Donald C. Nanney filed herewith and incorporated herein by
2 reference. Because of the imminent deadline contained in the Order, Petitioners request that the
3 State Board issue the requested stay and conduct a hearing on this matter as soon as possible.

4 Under Section 2053 of the State Board's regulations (23 Cal. Code Regs. § 2053), a stay
5 of the effect of an order shall be granted if Petitioner shows:

- 6 (1) substantial harm to petitioner or to the public interest if a stay is not granted.
- 7 (2) a lack of substantial harm to other interested parties and to the public if a stay is
8 granted; and
- 9 (3) substantial questions of fact or law regarding the disputed action exist.

10 Here, the requirements for issuance of the stay are clearly met.

11 A. **Petitioner Will Suffer Substantial Harm if a Stay is Not Granted**

12 Without the requested stay, Petitioner will be put in a position where it will have to comply
13 with the requirements contained in the Order or face the possibility of administrative sanctions.
14 Petitioner would thus be required to engage consultants, draft and submit a workplan and
15 subsequently to perform the work specified in the workplan. The engagement of consultants and
16 drafting of the workplan and the subsequent work and report would involve substantial costs that
17 would have to be incurred prior to resolution of the requested review and the anticipated vacation
18 of the Order. Petitioner would suffer irreparable injury should the petition for review be granted
19 and the Order vacated after the ordered work, or a significant portion of it, has already been done
20 and costs incurred. In discussions on June 8, 2011, with Regional Board staff, the undersigned
21 counsel for Petitioner inquired as to the willingness of staff to allow an extension of time on the
22 initial deadline of July 15, 2011, and the response was in the negative. Faced with that response
23 and faced with the costs that would need to start right away to meet the existing deadline,
24 Petitioner has no choice but to request that the State Board stay the Order pending review of the
25 merits.

26 B. **The Public Will Not Be Substantially Harmed if a Stay is Granted**

27 The requested stay will pose no substantial harm to the public or water quality, but instead
28 will simply maintain the status quo pending a decision on the merits. As shown in the foregoing

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1 petition, the status quo is quite benign, indeed from all the available data – including the 2009
2 CalTrans report – the property meets applicable industrial standards and even residential standards
3 regarding chromium and Cr6, the subject of the Order. Therefore, there would clearly be no
4 substantial harm to the public or water quality by maintaining the status quo pending review.

5 C. **The Petition Raises Substantial Questions of Law and Fact.**

6 As discussed above in the petition for review, there is clearly substantial question as to the
7 validity of the Order given the binding legal effect of the Certificate under the Site Designation
8 law, and there is clearly substantial question as to the sufficiency of the alleged factual basis for
9 the asserted reopener and issuance of the Order.

10 **CONCLUSION**

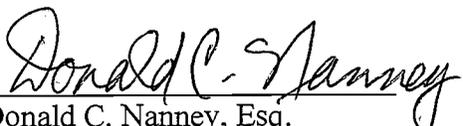
11 For the foregoing reasons, Petitioner respectfully submits that the actions and inactions of
12 the Regional Board complained of above were improper, inappropriate, unlawful and not
13 supported by substantial evidence. Petitioner respectfully requests that the State Board grant a
14 hearing and immediate stay of the Order and upon review of the Regional Board's actions and
15 inactions grant the relief requested in this petition.

16 Pursuant to applicable regulations, this petition is delivered via facsimile (without exhibits)
17 to (916) 341-5199, hard copy to follow with exhibits by U.S. mail, and also by email with exhibits
18 to jbashaw@waterboards.ca.gov.

19
20 DATED: June 9, 2011

Respectfully submitted,

21 GILCHRIST & RUTTER,
22 Professional Corporation

23 By: 
24 Donald C. Nanney, Esq.
25 Attorneys for Petitioner, Northridge Properties, LLC

DECLARATION OF DONALD C. NANNEY

I, Donald C. Nanney, declare as follows:

1. I am an attorney at law licensed to practice before all courts of the State of California and a Partner of Gilchrist & Rutter Professional Corporation, counsel for Petitioner Northridge Properties, LLC herein. I have personal knowledge of the facts set forth herein and if called upon as a witness could and would testify competently thereto. I file this declaration in support of the foregoing Request for Stay in connection with the foregoing Petition for Review and Request for Hearing.

2. Without the requested stay, Petitioner will be put in a position where it will have to comply with the requirements contained in the Order or face the possibility of administrative sanctions. Petitioner would thus be required to engage consultants, draft and submit a workplan and subsequently to perform the work specified in the workplan. The engagement of consultants and drafting of the workplan and the subsequent work and report would involve substantial costs that would have to be incurred prior to resolution of the requested review and the anticipated vacation of the Order. Petitioner would suffer irreparable injury should the petition for review be granted and the Order vacated after the ordered work, or a significant portion of it, has already been done and costs incurred. In discussions on June 8, 2011, with Regional Board staff, I inquired as to the willingness of staff to allow an extension of time on the initial deadline of July 15, 2011, and the response was in the negative. Faced with that response and faced with the costs that would need to start right away to meet the existing deadline, Petitioner has no choice but to request that the State Board stay the Order pending review of the merits.

3. The requested stay will pose no substantial harm to the public or water quality, but instead will simply maintain the status quo pending a decision on the merits. As shown in the foregoing petition, the status quo is quite benign, indeed from all the available data – including the 2009 CalTrans report – the property meets applicable industrial standards and even residential standards regarding chromium and Cr6, the subject of the Order. Therefore, there would clearly be no substantial harm to the public or water quality by maintaining the status quo pending review.

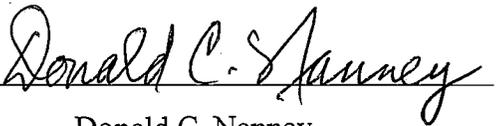
4. As discussed above in the petition for review, there is clearly substantial question

1 as to the validity of the Order given the binding legal effect of the Certificate under the Site
2 Designation law, and there is clearly substantial question as to the sufficiency of the alleged
3 factual basis for the asserted reopener and issuance of the Order.

4 5. Accordingly, the State Board should grant the requested stay of the Order pending
5 hearing on the merits. The State Board is requested to advise as soon as possible whether the stay
6 is granted, in light of the initial compliance deadline of July 15, 2011, under the Order.

7 I declare under penalty of perjury under the laws of the State of California that the
8 foregoing is true and correct.

9 Executed this 9th day of June, 2011, at Santa Monica, California.

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12 Donald C. Nanney
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LAW OFFICES
GILCHRIST & RUTTER
PROFESSIONAL CORPORATION
1289 OCEAN AVENUE, SUITE 900
SANTA MONICA, CALIFORNIA 90401-1000
TEL (310) 393-4000 • FAX (310) 394-4700

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EXHIBIT A

[See attached copy of the Regional Board's Order and the Board Letter]



**California Regional Water Quality Control Board
Los Angeles Region**



Linda S. Adams
Acting Secretary for
Environmental Protection

320 West Fourth Street, Suite 200, Los Angeles, California 90013
(213) 576-6600 • Fax (213) 576-6640
<http://www.waterboards.ca.gov/losangeles>

Edmund G. Brown Jr.
Governor

May 10, 2011

Mr. Alan Skobin
Northridge Properties, LLC
Galpin Motors
~~15505 E~~
North Hills, California 91343

SUBJECT: REQUIREMENT FOR TECHNICAL REPORT, PURSUANT TO CALIFORNIA WATER CODE SECTION 13267

CASE/SITE: 777 NORTH FRONT STREET, BURBANK, CALIFORNIA (FILE NO. 109.6162) - FORMER ZERO CORPORATION

Dear Mr. Skobin:

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) is the public agency with primary responsibility for the protection of ground and surface water quality for all beneficial uses within major portions of Los Angeles and Ventura County, including the referenced site. To accomplish this, the Regional Board oversees the investigation and cleanup of unregulated discharges adversely affecting the State's water, authorized by the Porter-Cologne Water Quality Control Act (California Water Code [CWC], Division 7).

Regional Board staff has reviewed the technical information that indicates the extensive use of hexavalent chromium (Cr⁶) at the former Zero Corporation facility located at 777 North Front Street, Burbank, California from the 1960s to the 1990s. A review of the file contents shows an absence of adequate soil sampling data for Cr⁶ concentrations in soils deeper than 5 ft. below grade.

Thus, we have determined that an additional investigation is warranted due to the historical use of Cr⁶ at the aforementioned facility. The requirement for an additional investigation is further warranted by new information presented to the Regional Board from the California Department of Transportation (Caltrans) in a 2009 soil investigation report for the subject property that was prepared on behalf of Caltrans. The report indicates that there exist soil concentrations of Cr⁶ in exceedance of normal background concentrations in the San Fernando Valley.

Enclosed is a Regional Board Order for technical report requirements pursuant to California Water Code section 13267 (Order).

The former responsible party, APW North America, received a Certificate of Completion from the Cal/EPA in 2002. This Regional Board is the administering agency of record and we have determined that the Certificate is no longer binding on the Regional Board. As stated above, the Regional Board has received new information. Pursuant to Health and Safety Code section 25264 (c) (4), we may reopen the investigation if a hazardous materials release is discovered at the site that was not subject of the prior site investigation. Also, section 25264 (c)(5) states that a site may be reopened if new facts causes the agency

California Environmental Protection Agency

Mr. Alan Skobin
777 North Front Street, Burbank, California

- 2 -

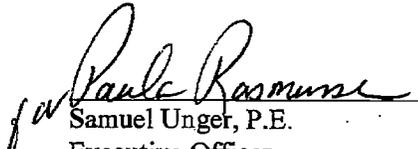
May 10, 2011

to find that further site investigation and remediation is required in order to prevent a significant risk to human health and safety or to the environment. The 2009 Caltrans report found that detectable concentrations of Cr⁶ in soil samples exceed the typical background concentrations in the native soils in the Burbank area.

Therefore, as the current property owner, you are required to comply with the Order to prepare and submit a technical soil investigation work plan to conduct an onsite soil investigation for the purpose of characterizing the potential for Cr⁶ groundwater contamination beneath the former facility.

If you have questions regarding this matter, please call Mr. Larry Moore at (213) 576-6730 (lmoore@waterboards.ca.gov), or Jeffrey Hu at (213) 576-6736 (ghu@waterboards.ca.gov).

Sincerely,


Samuel Unger, P.E.
Executive Officer

Enclosure:

1) General Requirements for a Heavy Metal Soils investigation

cc:

Ms. Lisa Hanusiak, USEPA Region IX
Mr. Leighton Fong, City of Glendale
Mr. Robert McKinney, Los Angeles Department of Water & Power
Mr. Milad Taghavi, Los Angeles Department of Water & Power
Mr. Bill Mace, City of Burbank Water Supply Department
Mr. Richard Slade, ULARA Watermaster
Mr. Donald Nanney, Esq. for Northridge Properties, LLC

-STATE OF CALIFORNIA

California Regional Water Quality Control Board - Los Angeles Region

GENERAL WORKPLAN REQUIREMENTS

FOR A

HEAVY METAL SOIL INVESTIGATION

APPENDIX A

INTRODUCTION

This guidance document and the related *Laboratory QC/QA Requirements for Title 22 Metals Analysis* are designed to assist dischargers required to perform a heavy metal soil assessment. This document outlines all activities to be conducted by the discharger in order to complete an assessment and determine whether the soil and/or groundwater have been contaminated due to industrial and/or commercial activities at the site. The requirements itemized below are to be used when conducting an initial heavy metal soil investigation to evaluate the following:

- A. Waste discharges to the soil at potential source areas,
- B. Assess and delineate the lateral and vertical extent of soil contamination, and
- C. Soil properties that affect contaminant mobility and transport in the unsaturated zone.

The work plan must include, but is not limited to, the following items:

1. A technical approach including the sampling rationale and justification for the location, depth, and type of boring including the sampling interval. The boring locations must be plotted on a facility map configured to scale.
2. The document must include the Los Angeles County Assessors Parcel Number(s) for the property being investigated.
3. **Soil samples must be collected from the middle of low permeability (silts and clays) or high moisture content units (saturated soils), if the individual lithologic unit is five feet thick or greater.**
4. Describe the proposed drilling method, equipment, and procedures for borings.
5. Describe equipment and procedures used for the collection, handling, storage, and shipment of soil samples.
6. Describe decontamination and waste handling procedures.
7. Describe the laboratory quality assurance/quality control program.
8. A site-specific Health and Safety Plan (HASP) should be prepared prior to fieldwork or field sampling startup. The HASP defines minimum health and safety requirements and

¹ California Code of Regulations; Title 22 metals, including total and hexavalent chromium

designate protocols to be followed for the field operation to comply with state and federal health and safety requirements.

9. A time schedule for the completion of the scope of work.

WORKPLAN FOR SUBSURFACE SOIL INVESTIGATION

A subsurface soil technical report (hereinafter work plan) will be required to assess the shallow subsurface soil to determine the impact of prior releases of heavy metal contaminants. Implementation of the work plan will determine the lateral and vertical extent of heavy metal soil contamination in the impacted areas identified.

The task of implementing the work plan involves selecting optimum boring locations within and around the source areas, collecting soil samples at depths of 1, 5, 10, 15, 20 and 25-feet below ground surface (bgs) and at every lithologic change. If not previously performed, at least one continuously cored soil boring should be drilled and logged for a complete stratigraphic column of the soils beneath the site, preferably in proximity to source area.

Unless previous data exists, at least two soil borings must be installed and sampled at two different locations away from known source areas to ascertain background heavy metal concentrations. These soil samples should be collected from "native soils" (not from areas of imported fill and preferably from areas that are the least likely to contain heavy metal residues due to historical operations at the facility).

Background heavy metal concentrations will be compared to values obtained from impacted areas to determine impact and will be used, along with other indices, to determine site-specific cleanup levels.

IDENTIFICATION OF CONTAMINATED SOURCE AREAS AT HEAVY METAL USEAGE, STORAGE AND DISPOSAL AREA

- Identify the areas, based on the historical or current land use for the facility which where used for plating, chemical storage, processing, treatment and disposal.
- Identify potential source locations of heavy metal soil contamination, such as areas of former spills and leaks.
- Provide a labeled, surveyed, and scaled plot plan or diagram showing current, and any previous locations of structures used for heavy metal plating, chemical and hazardous waste storage, treatment and disposal at the facility.
- Identify locations such as aboveground tanks, vats, underground tanks, clarifiers, sumps, channels, pipelines, trenches, drains, sewer connections, seepage pits, basins, ditches, and dry wells.
- Include tables listing the functions or purposes of each structure, duration of use, chemical contents, and quantity of chemicals stored.
- If information is available on prior chemical spills provide the date of the spill, the reporting agency (i.e. Fire Department or Regional Board), and the extent of any remedial action performed.

Also list names, addresses, duration and dates of previous site owners and operators, and types of chemical-processes used.

FIELD PROCEDURES

The following investigation procedures must also be addressed in the work plan at a minimum:

1. Contingency plan to extend boring depths if evidence exists of contamination at the bottom of the borehole.

During drilling and soil sampling, all the boring logs must be prepared by or under the direct supervision of a State of California Registered Geologist (RG), or Registered Civil Engineer (PE). In addition, visual indications of soil contamination must be noted such as staining, and discoloration, olfactory indicators, estimation of percentages of the different soil types, range in grain sizes, degree of grading/sorting, moisture content, porosity. Unique sample identification and locations must be provided.

2. Provide complete and legible boring logs that will include:
 - a) A description of earth materials, conditions (moisture, color, etc.), and classifications per Unified Soil Classification System (USCS);
 - b) A lithographic column with USCS abbreviations and symbols;
 - c) Labeled sample depths (measured in feet);
 - d) A record of penetration in blows per foot (blow counts) and inches (or percent) of sample recovered;
 - e) A California registered professional must sign each boring log.-
3. An appropriate number of quality control samples collected.
4. All the boreholes must be back-filled in accordance with requirements listed in *California Well Standards Bulletin 74-90, California Department of Water Resources, (June 1991)*.
5. Investigation-derived wastes must be disposed of in Department of Transportation approved containers, or transported to a US EPA approved waste management facility.
6. Following receipt of laboratory analytical results, submit a **technical report** (site investigation report) to the Regional Board for review and approval. The report must contain a description of field activities, procedures used, a discussion of analytical results and delineation of contaminants in the shallow soil, data interpretation, conclusions and recommendations. Boring logs, laboratory analytical results, and chain of custody forms should be included in the appendices. Figures must include a surveyed map showing the locations of the contaminant source areas or structures, a map showing surveyed soil sample and boring locations, and iso-concentration maps for significant contaminants discovered.

If the results of the site investigation have not fully delineated the contamination, then a work plan to completely define the extent of soil and/or groundwater impacts is to be included with your site investigation report pursuant to Section 13267 of the California Water Code.

Comply with the Regional Board's chain of custody procedures regarding soil samples. Samples must be handled and analyzed per the *General Requirements Laboratory OC/OA for Title 22 Heavy Metals Analysis* (APPENDIX B).

OPTIONAL SOIL PARAMETERS:

Additional soil data collection may be considered during site assessment and/or remediation phases for site-specific risk assessment and/or fate and transport modeling.

Soil samples shall be collected from different lithological units at various locations and depths, and sent to a California certified laboratory for determining the following parameters:

- (a) Water-Solid adsorption/distribution coefficient (K_d)
- (b) Fraction of organic carbon content (f_{oc})
- (c) Grain-size distribution (ASTM D 422-630)
- (d) Effective soil porosity
- (e) pH (ASTM G51-77)
- (f) Bulk density or Specific Gravity (ASTM D 854-83)
- (g) Soil moisture content (ASTM D 2216-80)
- (h) Plasticity index for clayey and silty materials (Atterberg Limits)
- (i) Gas permeability (if possible).

LABORATORY METHOD FOR ANALYSES OF SOIL SAMPLES

For the purpose of screening soil samples for Title 22 heavy metal contaminants, the Regional Board will accept the use of EPA Method 6010B. However, for certain Title 22 metals of concern, EPA Method 6020 may be required to achieve meet the required detection limits for reporting. EPA Method 7199 and EPA Method 245.5 will be required to provide a quantitative value for hexavalent chromium, and mercury, respectively.

LABORATORY CERTIFICATION

The Regional Board requires that all laboratories performing analyses on any samples be certified by the California Department of Health Services' (DHS) Environmental Laboratory Accreditation Program (ELAP). For a listing of accredited laboratories refer to the DHS web site:

[http://www.dhs.ca.gov/ps/js/elap/ELAPnames/Laboratory 19.htm](http://www.dhs.ca.gov/ps/js/elap/ELAPnames/Laboratory%20.htm)

SPECIAL TRAINING REQUIREMENTS/CERTIFICATION

All personnel working in the field or in the laboratory will hold current certification showing that they have received training in accordance with requirements specified in 29 CFR 1910.120 (Occupational Safety and Health [OSHA]) regulations, or any other regulatory training/certification requirements.

SURVEY DATA FOR SOIL DATA

All soil data points (soil borings) shall be surveyed relative to longitude and latitude coordinates. Acceptable quality data may come from a commercially available, hand held global positioning system (GPS) device.

DOCUMENT SUBMITTAL REQUIREMENTS

Deliverables and technical reports include, but are not limited to, work plans, work plan addenda, investigation reports, design reports, quarterly groundwater monitoring reports, report addenda, and letter responses to Regional Board comments. Site plans with proposed soil boring locations must be submitted in an AutoCADD or GIS format that can be input into a spatial or GIS database.

Electronic copies of reports may be submitted in Adobe PDF format via e-mail or, for those files that exceed 1 megabyte in size, on CD-ROM or floppy disk.

Parties shall submit paper and electronic copies of all deliverables and technical reports in the quantities indicated, to the following:

2 paper copies, 1 electronic copy

Mr. Larry Moore (lmoore@waterboards.ca.gov)
California Regional Water Quality Control Board,
Los Angeles Region
320 West 4th Street, Suite 200
Los Angeles, CA 90013



California Regional Water Quality Control Board Los Angeles Region



Linda S. Adams
Acting Secretary for
Environmental Protection

320 West Fourth Street, Suite 200, Los Angeles, California 90013
(213) 576-6600 • Fax (213) 576-6640
<http://www.waterboards.ca.gov/losangeles>

Edmund G. Brown Jr.
Governor

**REQUIREMENT TO PROVIDE TECHNICAL REPORT - WORK PLAN
(CALIFORNIA WATER CODE SECTION 13267¹)
DIRECTED TO NORTHRIDGE PROPERTIES, LLC
FORMER ZERO CORPORATION FACILITY
777 NORTH FRONT STREET, BURBANK, CALIFORNIA
(FILE NO. 109.6162)**

You are legally obligated to respond to this Order. Please read this carefully.

You are the responsible party identified for a soil investigation at the referenced site.

During the 1998 United States Environmental Protection Agency Superfund investigation, information provided to the California Regional Quality Control Board, Los Angeles Region (Regional Board) from the Upper Los Angeles River Area Watermaster (ULARA) indicated some of the groundwater supply wells in the San Fernando Valley Groundwater Basin (SFVGB) had been contaminated by hexavalent chromium (Cr⁶). Upon receipt of this information, the Regional Board re-evaluated the Chemical Use Questionnaire (CUQ) provided by each facility from the Superfund investigation to determine which facilities stored and/or used chromium compounds, including Cr⁶.

Based on our evaluation of these CUQs, Regional Board identified 112 sites to conduct further investigation to determine whether chromium and Cr⁶ concentrations in the soil at these sites indicate any significant past release and pose a threat to public drinking water supply wells or may have already polluted groundwater resources. These investigations are conducted under Regional Board's order of March 15, 2004, pursuant to California Water Code (CWC) Section 13267.

Although the referenced site was not among the 112 aforementioned sites, additional investigation at the referenced site is warranted upon further review of the following information:

The primary responsible party for this case was previously issued a *Certificate of Completion* letter by the Los Angeles Regional Water Quality Control Board, as the Administering Agency, in 2002. However, due to the occurrence of Cr⁶ contamination of the aquifer providing public water supply, and exceptions to the *Certificate of Completion* as specified in the Health and Safety Code², this action is

¹ California Water Code 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.

² Health and Safety Code section 25264(c) states that after a certificate of completion has been issued, the agency may not take action further action against the party receiving the certificate of completion with respect to the hazardous materials release that was the subject of the investigation and remediation unless: (4) A hazardous materials release is discovered at the site that was not the subject of the site investigation and remedial action for which the certificate of completion was issued; and (5) new facts causes the administering agency to find that further

Mr. Alan Skobin
777 North Front Street, Burbank, California

- 2 -

May 10, 2011

justified and warranted. Detailed information regarding chromium use at the former industrial facility has come to the attention of Regional Board staff as follows:

1. Regional Board files indicate the extensive use of chromate salts (hexavalent chromium) as part of the aluminum chromate conversion coating operations performed at the former Zero Corporation facility between the 1960's and late 1990's.
2. The 2009 Caltrans soil investigation conducted on the property, near former waste discharge features revealed that there were detectable concentrations of Cr⁶ in the soil which exceed the typical background concentration in the native soils in the San Fernando Valley.
3. The Caltrans investigation also shows that the shallow soil vapor results for volatile organic compounds (VOCs) such as perchloroethylene (PCE) and trichloroethylene (TCE) exceeds California Human Health Screening Levels (CHHSLs) in the shallow soils. Additionally, the report also suggests that subsurface VOC concentrations have rebounded significantly since the site was remediated in 2001.

Therefore, pursuant to section 13267(b) of the CWC, you are hereby directed to submit the following on or before **July 15, 2011**:

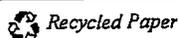
1. A work plan for an onsite soil investigation. We are providing a guidance document entitled "*General Work Plan Requirements for a Heavy Metal Soil Investigation*" to assist you with this task. Additional information can be found in our guidance manual entitled "*Interim Site Assessment & Cleanup Guidebook (May 1996)*," which can be found at the Regional Board web-site at:

http://www.waterboards.ca.gov/losangeles/water_issues/programs/remediation/may_1996_voc_guidance.shtml.

2. The work plan must contain a health and safety plan (H&SP), as per the guidelines.
3. The work plan shall include the detailed information of former and existing chromium storage, hazardous waste management, and associated practices;
4. The work plan must include proposed soil sampling borings in various locations down to a depth of 25 feet below grade in the areas of the former plating process and waste treatment (all sumps, and clarifiers, etc.).
5. The Work plan must include a quality assurance/quality control QA/QC section, which discusses the types of field and laboratory QA/QC samples to be analyzed and how analytical data is validated and how suspect data is merged. For additional procedural information and QA/QC guidelines refer to the following web links:

site investigation and remedial action are required in order to prevent a significant risk to human health and safety or to the environment.

California Environmental Protection Agency



Mr. Alan Skobin
777 North Front Street, Burbank, California

- 3 -

May 10, 2011

http://www.swrcb.ca.gov/losangeles/water_issues/prgrams/ust/guidelines/la_county_guidelines_93.pdf

http://www.waterboards.ca.gov/losangeles/water_issues/programs/remediation/Board_SGV-SFVCleanupProgram_Sept2008_OAPP.pdf

The California Business and Professions Code Sections 6735, 7835, and 7835.1 require that engineering and geologic evaluations and judgments be performed by or under the directions of registered professionals. All fieldwork related to implementing the required work plan (technical report) such as well installation(s) must be conducted by, or under the direct responsible supervision of, a registered geologist or licensed civil engineer. All technical documents submitted to this Regional Board must be reviewed, signed and stamped by a State of California Professional Geologist, or a Professional Civil Engineer with at least five years hydrogeologic experience. Therefore, all future work must be performed by or under the direction of a professional geologist or California registered civil engineer. A statement is required in the report that the registered professional in responsible charge actually supervised or personally conducted all the work associated with the project.

Pursuant to section 13268(b)(1) of the CWC, failure to submit the required technical or monitoring reports described above may result in the imposition of civil liability penalties by the Regional Board, without further warning, of up to \$1,000 per day for each day the report is not received after the above due dates.

Please note that the Regional Board requires you to include a perjury statement in all reports submitted under 13267 Order and Cleanup and Abatement Order. The perjury statement shall be signed by a senior authorized representative of Northridge Properties, LLC (and not by a consultant). The statement shall be in the following format:

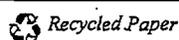
“ I, [NAME], do hereby declare under penalty of perjury under the laws of State of California that I am [JOB TITLE] for Northridge Properties, LLC, that I am authorized to attest to the veracity of the information contained in [NAME AND DATE OF REPORT] is true and correct, and that this declaration was executed at [PLACE], [STATE], on [DATE].”

The State Water Resources Control Board (State Water Board) adopted regulations requiring the electronic submittals of information over the Internet using the State Water Board GeoTracker database. You are required not only to submit hard copy reports required in this Order but also to comply by uploading all reports and correspondence prepared to date and additional required data to the GeoTracker system. Information about GeoTracker submittals, including links to text of the governing regulations, can be found on the Internet at the following link:

http://www.waterboards.ca.gov/water_issues/programs/ust/electronic_submittal

We believe that the burdens, including costs, of these reports bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. If you disagree and have information about the burdens, including costs, of complying with these requirements, provide such information to Mr. Larry Moore within ten days of the date of this letter so that we may reconsider the requirements.

California Environmental Protection Agency



Mr. Alan Skobin
777 North Front Street, Burbank, California

- 4 -

May 10, 2011

Any person aggrieved by this action of the Regional Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water 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.

SO ORDERED.

for 
Samuel L. Unger, P.E.
Executive Officer

May 10, 2011

EXHIBIT B

[See attached copy of the Certificate of Completion, dated June 30, 2002]

LAW OFFICES
GILCHRIST & RUTTER
PROFESSIONAL CORPORATION
1299 OCEAN AVENUE, SUITE 900
SANTA MONICA, CALIFORNIA 90401-1000
TEL (310) 393-4000 • FAX (310) 394-4700

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California Regional Water Quality Control Board
Los Angeles Region

COPY 

Winston H. Hickox
Secretary for
Environmental
Protection

Over 50 Years Serving Coastal Los Angeles and Ventura Counties
Recipient of the 2001 *Environmental Leadership Award* from Keep California Beautiful

Gray Davis
Governor

320 W. 4th Street, Suite 200, Los Angeles, California 90013
Phone (213) 576-6600 FAX (213) 576-6640 - Internet Address: <http://www.swrcb.ca.gov/rwqcb4>

July 1, 2002

Mr. Ronald D. Habel
APW North America, Inc.
18 Maplewood Drive
Wilbraham, MA 01095

CERTIFICATE OF COMPLETION – APW NORTH AMERICA, INC. (FORMER ZERO CORPORATION) 777 FRONT STREET, BURBANK, CA (FILE NO. 109.6162; PCA NO. 2046J)

Dear Mr. Habel:

This letter transmits the attached *Certificate of Completion* for the subject site in accordance with State Board Resolution No. 97-17. Site mitigation activities have satisfied the requirements of all agencies concerned with the hazardous substance release. Thank you for your cooperation throughout this investigation. Your willingness and promptness in responding to our inquiries is greatly appreciated.

This notice is issued pursuant to California Health and Safety Code Section 25264.

If you have any questions concerning this letter, please contact Mr. Dixon Oriola at (213) 576-6803 or Mr. Elijah Hill at (213) 576-6730.

Sincerely,

Dennis A. Dickerson
Executive Officer

Enclosures

cc: See next page

California Environmental Protection Agency

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption
For a list of simple ways to reduce demand and cut your energy costs, see the tips at: <http://www.swrcb.ca.gov/news/echallenge.html>



Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

Mr. Ronald d. Habel
APW North America, Inc.

- 2 -

July 1, 2002

cc: Mr. Don Johnson, State Department of Toxic Substances Control, Site Designation
Committee,
Mr. Michael Lauffer, State Water Resources Control Board, Office of Chief Counsel
Mr. Robert Sams, State Water Resources Control Board, Office of Chief Counsel
Ms. Sayareh Amirebrahimi, State Department of Toxic Substances Control, Glendale
Office
Ms. Vera Melnyk Vecchio, State Department of Health Services, Drinking Water Field
Operations Branch
Mr. David Stensby, US Environmental Protection Agency
Mr. Mel Blevins, Upper Los Angeles River Area Watermaster

California Environmental Protection Agency

******The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption***
For a list of simple ways to reduce demand and cut your energy costs, see the tips at: <http://www.swrcb.ca.gov/news/echallenge.html>***



Recycled Paper

Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

Exhibit A

CERTIFICATE OF COMPLETION

Unified Agency Review of Hazardous Materials Release Sites
California Health and Safety Code § 25260-25268

Los Angeles Regional Water Quality Control Board was designated as the Administering Agency by the Site Designation Committee after a request by **APW North America Inc., a Delaware Corporation, formerly known as Zero Corporation** to oversee the Site Investigation and Remedial Action at 777 North Front Street, Burbank, CA (the Hazardous Materials Release Site). See Resolution No. 97-19, attached as Exhibit A to this Certificate.

In accordance with Health and Safety Code § 25264, the Administering Agency, after appropriate consultation with other agencies, has determined and/or certifies that:

1. The Site Investigation and Remedial Action at the Site has been satisfactorily completed and a permanent remedy has been accomplished [§ 25264(b)]. Actions taken are described in Exhibit B attached.
2. Applicable Remedial Action standards and objectives were achieved [§25264(b)].
3. The Responsible Party has complied with the requirements of all state and local laws, ordinances, regulations, and standards that are applicable to the Site Investigation and Remedial Action [§ 25264(c)].

No agency may take action against the Responsible Party with respect to the hazardous materials release at the site except as specified in Health and Safety Code § 25264(c)(1) through (6).

Issued this 30th day of June, 2002 by the
Administering Agency

Name: Dennis A Dickerson
Title: Executive Officer

Signature: 



Peter M. Rooney
Secretary for
Environmental
Protection

California Environmental Protection Agency

Air Resources Board • Department of Pesticide Regulation • Department of Toxic Substances Control
Integrated Waste Management Board • Office of Environmental Health Hazard Assessment
State Water Resources Control Board • Regional Water Quality Control Boards



Pete Wilson
Governor

March 30, 1998

Mr. Hank H. Yacoub
Cleanup Section Chief
Regional Water Quality Control Board - Los Angeles
101 Centre Plaza Drive
Monterey Park, California 91754-2156

Dear Mr. Yacoub:

DESIGNATION OF AN ADMINISTERING AGENCY FOR ZERO CORPORATION - 777 FRONT STREET, BURBANK, CALIFORNIA COUNTY OF LOS ANGELES

Pursuant to Health and Safety Code, Division 20, Chapter 6.65, Section 25260 *et seq.* (AB 2061, Chapter 1184, Statutes of 1993 (Umberg)), the Site Designation Committee has designated the Regional Water Quality Control Board as the administering agency for the Zero Corporation hazardous materials release site (site). The site is located at 777 Front Street, Burbank, California, County of Los Angeles. Enclosed is a copy of approved Resolution No. 97-19.

The administering agency's responsibilities include administering all state and local laws that govern the site cleanup, determining the adequacy and extent of cleanup, issuance of necessary authorizations and permits, and following the determination that an approved remedy has been accomplished, issuance of a certificate of completion. All of these activities should be administered after consultation with other regulatory agencies having jurisdiction over cleanup activities at the site. The administering agency should hold an initial meeting with support agencies to clarify roles, arrange cost recovery contracts, and set project proposed timeliness.

If requested, a Consultative Work Group can assist in coordinating all site investigation and remediation activities. The work group would consist of front-line staff from all appropriate agencies. As the administering agency, your staff should

Mr. Hank H. Yacoub
March 30, 1998
Page 2

organize and chair meetings of the work group if one is formed. The work group should meet within 45 days of designation and as often as necessary thereafter. The administering agency, and any interested members of the work group, should meet with the responsible party to discuss the results of the meetings within 60 days of designation.

To optimize coordination, the work group would develop a work plan for site cleanup. The work plan should layout the time frame for accomplishing site cleanup activities. The work plan should identify all permits and authorizations necessary for site cleanup; requirements for compliance with appropriate agency laws, ordinances and regulations; and areas where regulatory duplication and overlap can be eliminated. Streamlining the process should be emphasized.

Please keep us advised of the progress made on this site cleanup by providing reports on a regular basis. Enclosed is a recommended reporting form.

This new program, and all our existing programs, can be successful only if original and flexible processes are used to implement our state's high environmental standards. I am confident that your staff has the expertise and ingenuity to make this Site Designation application a model of success. The Office of the Secretary supports and is available to assist you in these efforts. If you have any concerns, please call Ms. Laurie Grouard, Acting Site Designation Coordinator, at (916) 323-3394.

Sincerely,



Kenneth Selover, Chair
Site Designation Committee

Enclosures

cc: See next page.

Mr. Hank H. Yacoub
March 30, 1998
Page 3

cc: Mr. Michael A. Francis, Esq.
Zero Corporation
444 South Figueroa Street, 21st floor
Los Angeles, California 90071

Mr. Eric Nupen
Regional Water Quality Control Board
101 Centre Plaza Drive
Monterey Park, California 91754

CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
SITE DESIGNATION COMMITTEE
RESOLUTION NO. 97-19
FEBRUARY 5, 1998
ZERO CORPORATION, BURBANK, CA

WHEREAS, Chapter 6.65 of the Health and Safety Code, commencing with Section 25260 establishes a Site Designation Committee; and

WHEREAS, the Site Designation Committee may designate an administering agency to oversee a site investigation and remedial action at a hazardous materials release site upon request of a responsible party; and

WHEREAS, Zero Corporation, a responsible party as defined in Health and Safety Code Section 25260(h), requested the Site Designation Committee to designate an administering agency to oversee site investigation and remedial action at Zero Corporation's property within the San Fernando Valley Area 2 Crystal Springs Superfund Site, Glendale North and South Operable Units, and areas where hazardous materials have migrated from that property, at 777 North Front Street, Burbank, Los Angeles, Los Angeles County, California, more particularly described in Attachment B; and

WHEREAS, this site is a hazardous materials release site as defined in Health and Safety Code Section 25260; and

WHEREAS, the Site Designation Committee held a meeting on February 5, 1998, and provided an opportunity at the meeting for public comment regarding the application; and

WHEREAS, the Site Designation Committee considered the application and furthermore, considered all factors and criteria set forth in Health and Safety Code Section 25262(c); and

WHEREAS, Zero Corporation agrees to reimburse appropriate agencies for their appropriate oversight costs and/or costs of permit development, where those agencies' significant involvement and/or permit development is necessary for the furtherance of the project goals; and

WHEREAS, the Site Designation Committee has determined that, based on consideration of all of the factors listed in Health and Safety Code Section 25262(c), the California Regional Water Quality Control Board, Los Angeles Region, is the appropriate agency to act as the administering agency; and

WHEREAS, designation of an administering agency by the Site Designation Committee and compliance with state and local requirements does not release the responsible party from liability under the federal Comprehensive Environmental Response, Compensation, and Liability Act or other federal requirements.

**SITE DESIGNATION COMMITTEE
RESOLUTION NO. 97-19
Page Two**

NOW, THEREFORE BE IT RESOLVED that the Site Designation Committee hereby designates the California Regional Water Quality Control Board, Los Angeles Region, as the administering agency for the site; and

BE IT FURTHER RESOLVED that this designation is subject to the following conditions:

1. California Regional Water Quality Control Board, Los Angeles Region, shall consult, on an ongoing basis, with all appropriate agencies who have expressed an interest in this site, including all agencies who would otherwise be issuing a permit or other form of authorization:
 - a) in administering all state and local laws which are applicable;
 - b) in determining the adequacy of site investigation and remedial action activities; and
 - c) prior to issuing any permit or other form of authorization.
2. Such consultation will also include notification if information becomes available to the administering agency that the original application was inaccurate or was incomplete.
3. If an advisory team is convened by the Site Designation Committee, a representative of the administering agency shall attend all advisory team meetings.
4. The California Regional Water Quality Control Board, Los Angeles Region, shall submit quarterly reports to the Site Designation Committee and to other appropriate agencies concerning the status of the investigation and/or remediation of the Site and shall comply with applicable public participation requirements.

CERTIFICATION

The undersigned Chair of the Site Designation Committee 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 Site Designation Committee held in Sacramento, California on February 5, 1998.

DATED: March 30, 1998

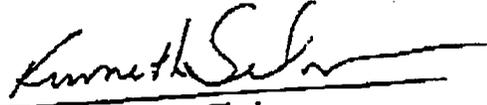

Kenneth Selover, Chair
Site Designation Committee

Exhibit B



California Regional Water Quality Control Board Los Angeles Region



Winston H. Hickox
Secretary for
Environmental
Protection

Over 50 Years Serving Coastal Los Angeles and Ventura Counties
Recipient of the 2001 *Environmental Leadership Award* from Keep California Beautiful

320 W. 4th Street, Suite 200, Los Angeles, California 90013
Phone (213) 576-6600 FAX (213) 576-6640 - Internet Address: <http://www.swrcb.ca.gov/rwqcb4>

Gray Davis
Governor

November 28, 2001

Mr. Ronald D. Habel
APW North America, Inc.
18 Maplewood Drive
Wilbraham, MA 01095

NO FURTHER REQUIREMENTS – FORMER ZERO CORPORATION FACILITY, 777 FRONT STREET, BURBANK, CALIFORNIA (FILE NO. (109.6162;PCA NO. 2046.J)

Dear Mr. Habel:

We are in receipt of the *Supplemental Site Closure Information* report, dated August 23, 2001, prepared by Hydro-Geo-Chem Inc., for the subject site. The report contains the results of the soil vapor rebound sampling following the completion of additional soil vapor extraction in impacted areas designated as Phase 2 (Deep Soil Vapor Extraction Program) for removal of tetrachloroethylene (PCE) and trichloroethylene (TCE) contamination. The report also contained your request for no further action based on the submitted laboratory analytical results.

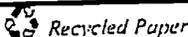
Laboratory analysis of soil vapor samples detected rebound concentrations of 11 µg/L for PCE in Well B-2 at 25 feet below ground surface (bgs). TCE concentrations were reduced to non-detect at 85 feet bgs. No other volatile organic compounds (VOC) were detected above the laboratory detection limits. Groundwater beneath the site is reported to be encountered at depths ranging from 94 feet bgs in MW-3 to 126 feet bgs in MW-7.

Based on our review of the available information and with the provision that the information provided to this agency was accurate and representative of site conditions, we have no further requirements for VOC soil contamination with respect to the San Fernando Valley Cleanup Program at the subject site.

The relatively small volume of impacted soil, attenuation of concentrations with depth, and the diminished concentration of VOCs remaining in the soil appear not to pose a present or continuing threat to groundwater quality. Therefore, no further VOC assessment or cleanup of soil is warranted.

California Environmental Protection Agency

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption
For a list of simple ways to reduce demand and cut your energy costs, see the tips at: <http://www.swrcb.ca.gov/news/echallenge.html>



Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations

Jul 08 02 10:43a

Ron Habel

201 75-4489

P.13

Mr. Ronald D. Habel
APW North America, Inc.

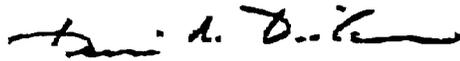
- 2 -

November 28, 2001

The jurisdiction requirements of other agencies, such as the U.S. Environmental Protection Agency, are not affected by the Board's "no further requirements" determination. Such agencies may choose to make their own determination concerning the site.

If you have any questions, please call Mr. Elijah Hill at (213) 576-6730.

Sincerely,



Dennis A. Dickerson
Executive Officer

cc: Mr. David Stensby, USEPA Region IX, San Francisco
Mr. Michael Lauffer, SWRCB, Office of the Chief Counsel
Mr. Robert Sams, SWRCB, Office of the Chief Counsel
Mr. Mel Blevins, ULARA Watermaster
Mr. John J. Ward, Hydro Geo Chem, Inc.
Mr. Michael A. Francis, Demetriou, Del Guercio, Springer & Francis
Mr. Donald C. Nanney, Gilchrist & Rutter

California Environmental Protection Agency

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption
For a list of simple ways to reduce demand and cut your energy costs, see the link at: <http://www.swrcb.ca.gov/news/ectchallenge.html>



Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.

EXHIBIT C

[See attached copy of Table 3 from the 2009 CalTrans report]

LAW OFFICES
GILCHRIST & RUTNER
PROFESSIONAL CORPORATION
1288 OCEAN AVENUE, SUITE 900
SANTA MONICA, CALIFORNIA 90401-1000
TEL (310) 393-4000 • FAX (310) 394-4700

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TABLE 3 – SOIL SAMPLE ANALYTICAL TEST RESULTS – TITLE 22 METALS

Sample No.	Depth (feet)	Date Sampled	Metals (mg/kg)																		
			Antimony	Arsenic	Barium	Beryllium	Cadmium	Chromium	Hexavalent Chromium*	Cobalt	Copper	Lead	Lead STLC (mg/l)	Mercury**	Molybdenum	Nickel	Selenium	Silver	Thallium	Vanadium	Zinc
1001-101-2-S	2	4/20/2009	ND	ND	140	ND	ND	21	ND	9.4	24	ND	ND	ND	17	ND	ND	ND	51	49	
1001-101-5-S	5	4/20/2009	ND	ND	140	ND	ND	20	ND	8.1	22	ND	ND	ND	14	ND	ND	ND	49	49	
1001-101-10-S	10	4/20/2009	ND	ND	97	ND	ND	14	ND	5.8	13	ND	ND	ND	9.7	ND	ND	ND	38	35	
1001-101-20-S	20	4/20/2009	ND	ND	62	ND	ND	8.5	ND	3.8	8.8	ND	ND	ND	6.0	ND	ND	ND	24	22	
1001-102-2-S	2	4/20/2009	ND	ND	170	ND	ND	24	ND	11	27	ND	ND	ND	19	ND	ND	ND	57	85	
1001-102-5-S	5	4/20/2009	ND	ND	110	ND	ND	16	ND	6.6	17	ND	ND	ND	12	ND	ND	ND	42	36	
1001-102-10-S	10	4/20/2009	ND	ND	120	ND	ND	17	ND	5.9	13	ND	ND	1.6	9.6	ND	ND	ND	41	35	
1001-102-20-S	20	4/20/2009	ND	1.1	170	ND	ND	23	ND	11	28	ND	ND	ND	18	ND	ND	ND	57	55	
1001-103-2-S	2	4/20/2009	ND	ND	160	ND	ND	21	ND	8.8	31	26	ND	ND	16	ND	ND	ND	52	250	
1001-103-5-S	5	4/20/2009	ND	ND	110	ND	ND	17	ND	7.0	16	ND	ND	ND	12	ND	ND	ND	44	42	
1001-103-10-S	10	4/20/2009	ND	ND	110	ND	ND	18	ND	7.0	18	ND	ND	ND	13	ND	ND	ND	44	39	
1001-103-20-S	20	4/20/2009	ND	ND	140	ND	ND	21	ND	9.0	23	ND	ND	ND	15	ND	ND	ND	52	48	
1001-104-2-S	2	4/20/2009	ND	ND	180	ND	2.0	24	ND	8.5	35	42	ND	ND	16	ND	ND	ND	49	260	
1001-104-5-S	5	4/20/2009	ND	ND	130	ND	ND	19	ND	7.3	18	ND	ND	ND	14	ND	ND	ND	47	42	
1001-104-10-S	10	4/20/2009	ND	ND	110	ND	ND	21	ND	6.5	16	ND	ND	2.3	11	ND	ND	ND	41	36	
1001-104-20-S	20	4/20/2009	ND	ND	140	ND	ND	19	ND	8.3	21	ND	ND	ND	14	ND	ND	ND	47	47	
1001-105-2-S	2	4/20/2009	ND	ND	180	ND	ND	25	ND	10	29	4.1	ND	ND	19	ND	ND	ND	57	96	
1001-105-5-S	5	4/20/2009	ND	ND	150	ND	ND	23	ND	9.2	25	ND	ND	ND	17	ND	ND	ND	52	52	
1001-105-10-S	10	4/20/2009	ND	ND	85	ND	ND	25	ND	4.6	10	ND	ND	7.7	7.1	ND	ND	ND	30	31	
1001-105-20-S	20	4/20/2009	ND	ND	64	ND	ND	9.5	ND	4.3	10	ND	ND	ND	6.6	ND	ND	ND	27	23	
1001-106-2-S	2	4/21/2009	ND	ND	170	ND	ND	29	ND	10	27	ND	ND	ND	18	ND	ND	ND	66	57	
1001-106-5-S	5	4/21/2009	ND	ND	190	ND	ND	28	0.18	11	27	ND	ND	ND	20	ND	ND	ND	61	59	
1001-106-10-S	10	4/21/2009	ND	ND	170	ND	ND	23	ND	10	26	ND	ND	ND	18	ND	ND	ND	56	55	
1001-106-20-S	20	4/21/2009	ND	ND	180	ND	ND	25	ND	9.9	30	ND	ND	ND	17	ND	ND	ND	67	58	
1001-106-20D-S	20	4/21/2009	ND	ND	160	ND	ND	22	ND	8.9	24	ND	ND	ND	15	ND	ND	ND	58	53	
1001-107-2-S	2	4/21/2009	ND	ND	200	ND	ND	54	0.12	14	30	ND	ND	13	22	ND	ND	ND	64	62	
1001-107-5-S	5	4/21/2009	ND	ND	220	ND	ND	35	0.10	13	33	ND	ND	ND	25	ND	ND	ND	75	71	
1001-107-10-S	10	4/21/2009	ND	ND	160	ND	ND	22	ND	9.0	25	ND	ND	ND	17	ND	ND	ND	53	51	
1001-107-20-S	20	4/21/2009	ND	ND	140	ND	ND	19	0.14	8.3	21	ND	ND	ND	13	ND	ND	ND	52	48	
1001-108-2-S	2	4/21/2009	ND	ND	210	ND	ND	26	ND	11	29	1.3	ND	ND	19	ND	ND	ND	59	62	
1001-108-5-S	5	4/21/2009	ND	ND	130	ND	ND	21	ND	8.3	18	ND	ND	ND	15	ND	ND	ND	50	44	
1001-108-10-S	10	4/21/2009	ND	1.0	220	ND	ND	27	ND	12	31	ND	ND	ND	21	ND	ND	ND	65	64	
1001-108-10D-S	10	4/21/2009	ND	ND	230	ND	ND	30	ND	13	37	ND	ND	ND	23	ND	ND	ND	73	72	
1001-108-20-S	20	4/21/2009	ND	ND	150	ND	ND	18	ND	8.8	24	ND	ND	ND	13	ND	ND	ND	58	46	
1001-109-2-S	2	4/21/2009	ND	20	150	ND	ND	19	ND	8.2	20	ND	ND	ND	14	ND	ND	ND	46	49	
1001-109-5-S	5	4/21/2009	ND	ND	180	ND	ND	25	ND	10	28	ND	ND	ND	19	ND	ND	ND	59	59	
1001-109-10-S	10	4/21/2009	ND	ND	81	ND	ND	13	ND	5.0	11	ND	ND	ND	9.3	ND	ND	ND	35	28	
1001-109-20-S	20	4/21/2009	ND	ND	100	ND	ND	15	ND	5.9	16	ND	ND	ND	10	ND	ND	ND	36	34	
1001-110-2-S	2	4/21/2009	ND	ND	130	ND	ND	18	ND	7.0	18	2.4	ND	ND	13	ND	ND	ND	43	77	
1001-110-5-S	5	4/21/2009	ND	ND	200	ND	ND	26	ND	11	30	ND	ND	ND	20	ND	ND	ND	62	64	
1001-110-5D-S	5	4/21/2009	ND	ND	180	ND	ND	24	ND	11	26	ND	ND	ND	18	ND	ND	ND	55	56	
1001-110-10-S	10	4/21/2009	ND	ND	120	ND	ND	17	ND	7.4	17	ND	ND	ND	13	ND	ND	ND	43	41	
1001-110-20-S	20	4/21/2009	ND	ND	75	ND	ND	9.7	ND	4.3	12	ND	ND	ND	7.0	ND	ND	ND	28	24	
1001-111-2-S	2	4/20/2009	ND	ND	140	ND	ND	20	ND	7.6	25	20	ND	ND	14	ND	ND	ND	45	93	
1001-111-2D-S	2	4/20/2009	ND	ND	150	ND	ND	21	ND	8.9	25	8.5	ND	0.51	1.1	17	ND	ND	53	72	
1001-111-5-S	5	4/20/2009	ND	ND	200	ND	ND	25	ND	11	30	ND	ND	ND	19	ND	ND	ND	61	63	
1001-111-10-S	10	4/20/2009	ND	ND	75	ND	ND	13	ND	5.1	11	ND	ND	ND	8.3	ND	ND	ND	34	27	
1001-111-20-S	20	4/20/2009	ND	ND	120	ND	ND	21	ND	7.7	21	ND	ND	1.9	12	ND	ND	ND	45	40	
1001-111-20D-S	20	4/20/2009	ND	ND	120	ND	ND	16	ND	7.3	23	ND	ND	ND	11	ND	ND	ND	47	40	
1001-112-2-S	2	4/20/2009	ND	ND	170	ND	1.6	22	ND	8.4	48	100	2.4	ND	ND	17	ND	ND	49	2,100	
1001-112-5-S	5	4/20/2009	ND	ND	120	ND	ND	16	ND	6.7	16	ND	ND	ND	12	ND	ND	ND	43	38	
1001-112-10-S	10	4/20/2009	ND	ND	79	ND	ND	8.5	ND	3.8	11	ND	ND	ND	5.8	ND	ND	ND	25	28	
1001-112-20-S	20	4/20/2009	ND	ND	150	ND	ND	21	ND	8.6	24	ND	ND	ND	15	ND	ND	ND	51	49	
TTLc (mg/kg)			500	500	10,000	75	100	2,500	NL	8,000	2,500	1,000	NL	20	3,500	2,000	100	500	700	2,400	5,000
10 x STLC (mg/l)			150	50	1,000	7.5	10	50	NL	800	250	50	5	2.0	3,500	200	10	50	70	240	2,500
PRG - Industrial			NL	NL	NL	NL	NL	NL	200	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL	NL

Notes:
mg/kg – milligrams per kilogram
mg/l – milligrams per liter
EPA – United States Environmental Protection Agency
Samples were analyzed using EPA Test Method 6010B.
* Hexavalent chromium was analyzed using EPA Test Method 7196A.
**Mercury was analyzed using EPA test method 7471A.
ND – not detected above the Practical Quantitation Limit - see laboratory reports for additional details
-- Not Analyzed
NL – Not Listed
TTLc – State of California Total Threshold Limit Concentration
STLC – State of California Soluble Threshold Limit Concentration
PRG-Industrial – EPA Region 9, Preliminary Remediation Goals for Industrial Properties