

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
COLORADO RIVER BASIN REGION**

**CLEANUP AND ABATEMENT ORDER NO. 88-103  
AGAINST  
GERALDINE AND PAUL ISON  
Indio - Riverside County**

The Executive Officer of the California Regional Water Quality Control Board, Colorado River Basin Region, finds that:

1. Geraldine and Paul Ison (hereinafter referred to as the discharger), are owners of the property and business located at 45-781 Fargo Street, Indio, California 92201. The name of said business is Indio Cleaners.
2. A complaint report from the City of Indio Fire Department was received by telephone on March 6, 1986, regarding the leakage of solvent from an underground storage tank at said property.
3. Regional Board staff inspected the excavation and tank at said property on March 6, 1986 and noted severe corrosion of the tank and a strong solvent odor emanating from the excavation.
4. Subsequently, the Regional Board received an Underground Storage Tank Unauthorized Release Report dated March 7, 1986 from the City of Indio Fire Department, indicating that an underground storage tank had been excavated and removed from said property, and that contamination of the soil by a solvent had been found.
5. The Regional Board received records from the City of Indio indicating that the underground storage tank had been installed at said property in 1955. Said records include a permit for the installation of the underground storage tank from the City of Indio Fire Department dated October 11, 1955.
6. The Regional Board staff determined that the unauthorized release of solvent presents a threat to the quality of the ground water. Accordingly, the discharger was requested by letter dated April 3, 1986 to conduct an investigation of the contamination, and submit the results in a technical report by April 30, 1986.
7. Said technical report was not received by the April 30, 1986 due date. However, a preliminary report was prepared by Leighton and Associates, technical consultant for the discharger, regarding the solvent contamination. Said report was received by the Regional Board on August 1, 1986. The technical report includes the sampling results from a single exploratory borehole, which indicates that the soil and ground water had been contaminated with the solvent perchloroethylene. Test results for the ground water sample collected on May 27, 1986 indicate that 1,2 dichloropropane (9 ppb), trichloroethane (11 ppb), perchloroethylene (95ppb), and total xylenes (85 ppb) are present in the ground water. Said report did not include a complete subsurface investigation of the contamination as requested in the April 3, 1986 Regional Board letter to the discharger.

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8. Based on the results of the preliminary investigation, the Regional Board's Executive Officer issued Cleanup and Abatement Order No. 87-32 dated February 19, 1987 to the discharger, Anita and Harry Greneveld, and Ruth and Lane Warren. The Grenevelds have been identified as prior owners of said property. The Order required that a complete subsurface investigation be conducted, and the results submitted to the Regional Board by March 30, 1987. Within two weeks of submittal of the technical report, a cleanup proposal was to be submitted for recovery of the free product in the ground water, and extraction of the contaminated ground water.
9. Cleanup and Abatement Order No. 87-32 was revised on March 25, 1987 to include an additional prior owner of said property, Carla Munoz, and to extend the technical report due date to May 15, 1987. The revised Order was numbered Order No. 87-32 (Revision No. 1).
10. By letter dated April 24, 1987, the Regional Board received the following documents from Breidenbach, Swainston, Crispo and Way, the law firm representing Ruth and Lane Warren:
  - a. Application for License and Permit No. 47 dated October 6, 1955, City of Indio, requested by Ed Wills (prior owner of said business), for the installation of an underground storage tank.
  - b. Permit issued by the City of Indio Fire Department, Bureau of Fire Prevention, dated October 11, 1955, for the storage and dispensing of cleaning solvent.
  - c. Bureau of Fire Prevention, Gasoline Tank and Pump Report, dated October 11, 1955, submitted by Ed Wills, containing the specifications for the tank and its installation.
11. On May 15, 1987 the Regional Board's Executive Officer granted a time extension to June 15, 1987 for submittal of the subsurface investigation report due to a proposed revision of Cleanup and Abatement Board Order No. 87-32 (Revision No. 1).
12. By letter dated May 29, 1987 from Breidenbach, Swainston, Crispo and Way, an affidavit, prepared by the Warrens, was submitted to the Regional Board indicating that the Warrens had not removed or replaced the original underground storage tank.
13. On June 17, 1987 the Regional Board received a proposal prepared by EnviroSphere Company, technical consultant for the Warrens, for the subsurface investigation, which was to include a delineation of the vertical and lateral extent of the contamination.
14. On July 20, 1987 the Regional Board's Executive Officer approved the subsurface investigation work plan dated June 17, 1987, which was amended by letter received in the Regional Board office on July 14, 1987.
15. Cleanup and Abatement Order No. 87-32 (Revision No. 1) was revised on July 21, 1987 to include Ed Wills, an additional prior lessee of said property and prior owner of said business, and to extend the technical report due date to September 1, 1987. The revised Cleanup and Abatement Order was numbered Order No. 87-32 (Revision No. 2).

16. On August 12, 1987 Cleanup and Abatement Order No. 87-32 (Revision No. 2) was revised and renumbered Order No. 87-32 (Revision No. 3) to indicate corrected time periods of ownership of the property and/or business by Carla Munoz and the Grenevelds, as provided with supporting documentation by Breidenbach, Swainston, Crispo and Way.
17. By letter dated September 3, 1987 the Regional Board's Executive Officer granted a time extension for submittal of the subsurface investigation technical report to October 15, 1987.
18. In October of 1987 the Regional Board staff granted an additional time extension for submittal of the subsurface investigation report to October 26, 1987.
19. The Regional Board received a subsurface investigation report from Envirosphere Company on October 28, 1987. Said technical report, dated October 27, 1987, contained the analytical results of 20 surface soil samples and six boreholes which were converted to monitoring wells. Two different solvents were identified in the contaminated soil and ground water. The two different contaminants identified are Stoddard solvent and perchloroethylene solvent. The technical report provided geologic and hydrologic data, and a history of solvents used at the site. However, the report did not fully delineate the vertical and lateral extent of the contaminant plume, as required by Cleanup and Abatement Order No. 87-32 (Revision No. 3).
20. On January 21, 1988 a meeting was held at the Regional Board office with representatives from Breidenbach, Swainston, Crispo and Way, Envirosphere Company and Traveler's Insurance Company (insurance carriers for the Warrens). The representatives requested that two separate Cleanup and Abatement Orders be issued; one for the parties that had an interest in the property and/or business prior to September 1979, and one for the discharger, who has held the property and the business from September 1979 to the present. Said request was based on the following considerations, proposed by Breidenbach, Swainston, Crispo and Way, and Envirosphere Company representatives:
  - a. Two solvents with distinct properties have been used at Indio Cleaners. One solvent, identified as Stoddard solvent, was used by all business owners. The other solvent, perchloroethylene was used only by the discharger.
  - b. The Stoddard solvent, having a lower specific gravity than water and thus identified as a "floater", is expected to be confined to a relatively small area. The perchloroethylene solvent, having a specific gravity greater than water and thus identified as a "sinker", has migrated further and is expected to encompass a much larger area.
  - c. Because of the differences in mobility of these two solvents, it is expected that the cost of delineation and cleanup of the perchloroethylene solvent will be much greater than that for the Stoddard solvent.

- d. The investigation and cleanup costs cannot be equitably assessed among the responsible parties without treating the contamination from the two solvents separately.
21. The Regional Board has determined that there are two distinct types of contamination resulting from the leakage of Stoddard solvent and perchloroethylene solvent. This determination has been made from a review of the technical reports submitted by Envirosphere Company, and the documentation submitted by Breidenbach, Swainston, Crispo and Way.
22. Based upon the recommendation of the Regional Board staff, it is appropriate that two separate Cleanup and Abatement Orders have been issued for the contamination by the two solvents.
23. Section 13304 of the California Water Code states, in part, that:
- "Any person...who has caused or permitted...any waste to be discharged or deposited where it is, or probably will be, discharged into the waters of the state and creates, or threatens to create, a condition of pollution or nuisance, shall upon order of the regional board clean up such waste or abate the effects thereof or, in the case of threatened pollution or nuisance, take other necessary remedial action."
24. The discharger has caused or permitted the discharge of waste into waters of the State and created a condition of pollution.
25. The Water Quality Control Plan for the Colorado River Basin Region identifies the beneficial uses of the ground waters in the Coachella Hydrologic Subunit as:
- a. Municipal supply
  - b. Industrial supply
  - c. Agricultural supply
26. This enforcement action is exempt from the California Environmental Quality Act pursuant to Sections 15308 and 15321, Chapter 3, Title 14 of the California Code of Regulations.
27. This Order supersedes Cleanup and Abatement Order No. 87-32 (Revision No. 3).

IT IS HEREBY ORDERED, that pursuant to Section 13304 of Division 7 of the California Water Code, the discharger shall comply with the following:

1. Cleanup or abate the effects of the discharge of perchloroethylene from the property at 45-781 Fargo Street, Indio, California.
2. Submit to the Regional Board within 60 days of receipt of this Cleanup and Abatement Order a technical report containing the results of a complete subsurface investigation, which is to include a determination of the lateral and vertical extent of the perchloroethylene contamination. The technical report must be prepared by a California registered civil engineer or certified engineering geologist.

3. Within two weeks of receipt of this Order, submit to the Regional Board office, the name and address of the qualified professional retained to perform the required investigation.
4. Within two weeks of submittal of the complete report, submit to the Regional Board a Remedial Action Plan for remediation of the contamination caused by the discharge of perchloroethylene.

IT IS FURTHER ORDERED, that Cleanup and Abatement Order No. 87-32 (Revision No. 3) be superseded by this Order.

ORDERED BY:

Arthur Sevajian  
Executive Officer  
July 26, 1988  
Date