

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

**CLEANUP AND ABATEMENT ORDER NO. 88-132 (Revision No. 1)  
AGAINST  
WOTEN AVIATION SERVICES  
Ripley - Riverside County**

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

1. Edwin H. Brown, Dorothy R. Brown, David B. Brown, and Peggy A. Brown (hereinafter also referred to as the discharger), HC 01, Box 6, Ripley, California 92272, are the current owners of Woten Aviation Services site located at 25980 Neighbors Blvd., Ripley, California 92272.
2. Woten Aviation Services (hereinafter also referred to as the discharger), 491 Holly Lane, Blythe, California 92225, is the former owner and operator of the property located at 25980 Neighbors Blvd., Ripley, California 92272.
3. The discharge from this operation has been subject to Waste Discharge Requirements in Board Order No. 78-78, adopted September 27, 1978.
4. The discharger previously discharged a maximum of 750 gallons per day of waste water containing pesticide spray residue from aircraft of a commercial pesticide application operation. The wastewater had been collected on a concrete washpad and drained into a sump. Wastewater was then sprayed over a 75 foot wide by  $\frac{1}{2}$  mile long strip of land located in the  $S\frac{1}{2}$  of  $S\frac{1}{2}$  of Section 35, T7S, R22E, SBB&M.
5. On December 30, 1981 the California Department of Health Services granted the discharger an Interim Status Document (CAD 08559551), wherein Woten Aviation facility became subject to the Resource Conservation and Recovery Act.
6. On July 1, 1985 the discharger discontinued discharging wastewater to land after the Internal Revenue Service seized equipment at the facility.
7. On August 6, 1985 the discharger filed bankruptcy in the United States Bankruptcy Court (Case # SB-85-02907 DN) in San Bernardino, California.
8. The Water Quality Control Plan for the Colorado River Basin Region of California designates the beneficial uses of ground and surface waters in this Region.
9. The beneficial uses of ground waters in the Colorado Hydrologic Unit are:
  - a. Municipal supply (MUN)
  - b. Industrial supply (IND)
  - c. Agricultural supply (AGR)

10. Section 2522, Article 2, Subchapter 15, Chapter 3, Title 23 of the California Code of Regulations, provides the following definition of "designated waste:"

"(a) Designated waste is:

(1) nonhazardous waste which consists of or contains pollutants which, under ambient environmental conditions at the waste management unit, could be released at concentrations in excess of applicable water quality objectives, or which could cause degradation of waters of the state;

(2) hazardous waste which has been granted variance from hazardous waste management requirements pursuant to Section 66310 of Title 22 of this Code.

(b) Wastes in this category shall be discharged only at Class I waste management units or at Class II waste management units which comply with the applicable provisions of this subchapter and have been approved for containment of the particular kind of waste to be discharged. Decomposable wastes in this category may be discharged to Class I or II land treatment waste management units."

11. A land treatment facility is defined in Section 2610 of said Subchapter 15 as:

"...a waste management unit at which liquid and solid waste is discharged to, or incorporated into, soil for degradation, transformation, or immobilization."

12. Section 2550(a) of said Subchapter 15 states in part that:

"...owners and operators of new and existing land treatment facilities shall monitor ground water, surface water, and the unsaturated zone according to the provision of this article."

13. Section 2532(b)(5) of said Subchapter 15 states in part that:

"Dischargers who treat or dispose of wastes in land treatment waste management units shall demonstrate, prior to application of the waste, that waste can be completely degraded, transformed, or immobilized in the treatment zone."; and,

"The maximum depth of the treatment zone shall not exceed 5 feet from the initial soil surface."

14. Section 2584 of said Subchapter 15 states that:

"(a) During the closure and post-closure period, the discharger shall

(1) continue all operations necessary to maximize degradation, transformation, or immobilization of waste constituents within the treatment zone;

(2) continue all ground water and unsaturated zone monitoring in compliance with Article 5 of this subchapter;

(3) continue all operations in the treatment zone to prevent runoff of waste constituents;

(4) maintain the precipitation and drainage control systems."

15. 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 cleanup such waste or abate the effects thereof, or, in the case of threatened pollution or nuisance, take other necessary remedial action."

16. This enforcement action is exempt from the California Environmental Quality Act pursuant to Section 13304, Division 7 of the California Code of Regulations.

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

1. By November 1, 1990 submit to this office a technical report containing a delineation of the soil and ground water affected by the discharge of wastewater discharged onto the land area described in Finding No. 3.
2. By December 1, 1990 submit to this office, for compliance with Section 2584 of said Subchapter 15 a technical report containing a plan and time schedule for review and approval by the Executive Officer for closure of the land area described in Finding No. 3.
3. By February 1, 1991 begin closure work on the land treatment facility in accordance with the approved closure plan. Completion of the closure shall be by June 1, 1991 unless the submitted and approved technical report, authorizes an extended closure date.
4. This Order does not authorize violation of any federal, state, or local laws and regulations.

ORDERED BY: Phil Greenberg  
Executive Officer

8-21-90

Date

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

**CLEANUP AND ABATEMENT ORDER NO. 88-132  
AGAINST  
WOTEN AVIATION SERVICES  
Ripley - Riverside County**

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

1. Woten Aviation Services (hereinafter also referred to as the discharger), 17798 Blythe Way, Blythe, California, 92225 is the owner of Woten Aviation Services site located at 25980 Neighbors Blvd., Ripley, California 92272.
2. The discharge from this operation has been subject to Waste Discharge Requirements in Board Order No. 78-78, adopted September 27, 1978.
3. The discharger previously discharged a maximum of 750 gallons per day of waste water containing pesticide spray residue from aircraft of a commercial pesticide application operation. The wastewater had been collected on a concrete washpad and drained into a sump. Wastewater was then sprayed over a 75 foot wide by  $\frac{1}{2}$  mile long strip of land located in the S $\frac{1}{2}$  of S $\frac{1}{2}$  of Section 35, T7S, R22E, SBB&M.
4. On December 30, 1981 the California Department of Health Services granted the discharger an Interim Status Document (CAD 08559551), wherein Woten Aviation facility became subject to Resource Conservation and Recovery Act.
5. On July 1, 1985 the discharger discontinued discharging wastewater to land after the Internal Revenue Service seized equipment at the facility.
6. On August 6, 1985 the discharger filed bankruptcy in the United States Bankruptcy Court (Case # SB-85-02907 DN) in San Bernardino, California.
7. The Water Quality Control Plan for the Colorado River Basin Region of California was adopted by the Regional Board on November 14, 1984.
8. The Basin Plan identifies the beneficial uses of ground waters in the Colorado Hydrologic Unit as:
  - a. Municipal supply
  - b. Industrial supply
  - c. Agricultural supply
9. Section 2522, Article 2, Subchapter 15, Chapter 3, Title 23 of the California Code of Regulations, provides the following definition of "designated waste":

"(a) Designated waste is:

(1) nonhazardous waste which consists of or contains pollutants which, under ambient environmental conditions at the waste management unit, could be released at concentrations in excess of applicable

water quality objectives, or which could cause degradation of waters of the state.

(2)hazardous waste which has been granted variance from hazardous waste management requirements pursuant to Section 66310 of Title 22 of this Code.

(b) Wastes in this category shall be discharged only at Class I waste management units or at Class II waste management units which comply with the applicable provisions of this subchapter and have been approved for containment of the particular kind of waste to be discharged. Decomposable wastes in this category may be discharged to Class I or II land treatment waste management units."

10. A land treatment facility is defined in Section 2601 of said Subchapter 15 as:

"...a waste management unit at which liquid and solid waste is discharged to, or incorporated into, soil for degradation, transformation, or immobilization".

11. Section 2550(a) of said Subchapter 15 states in part that:

"...owners and operators of new and existing land treatment facilities shall monitor ground water, surface water, and the unsaturated zone according to the provisions of this article".

12. Section 2532(b)(5) of said Subchapter 15 states in part that:

"Dischargers who treat or dispose of wastes in land treatment waste management units shall demonstrate, prior to application of the waste, that waste can be completely degraded, transformed, or immobilized in the treatment zone."; and,

"The maximum depth of the treatment zone shall not exceed 5 feet from the initial soil surface."

13. Section 2584 of said Subchapter 15 states that:

"(a) During the closure and post-closure period, the discharger shall

(1) continue all operations necessary to maximize degradation, transformation, or immobilization of waste constituents within the treatment zone,

(2) continue all ground water and unsaturated zone monitoring in compliance with Article 5 of this subchapter.

(3) continue all operations in the treatment zone to prevent runoff of waste constituents,

(4) maintain the precipitation and drainage control systems."

14. 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 cleanup such waste or abate the effects thereof, or, in the case of threatened pollution or nuisance, take other necessary remedial action."

15. This enforcement action is exempt from the California Environmental Quality Act pursuant to Section 13304, Division 7 of the California Code of Regulations.

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

1. By October 30, 1988 submit to this office a technical report containing a delineation of the soil and ground water affected by the discharge of wastewater discharged onto the land area described in Finding No. 3.
2. By November 30, 1988 submit to this office, for compliance with Section 2584 of said Subchapter 15 a technical report containing a plan and time schedule for review and approval by the Executive Officer for closure of the land area described in Finding No. 3.
3. By January 15, 1989 begin closure work on the land treatment facility in accordance with the approved closure plan. Completion of the closure shall be by April 30 1989 unless the submitted and approved technical report, authorizes an extended closure date.
4. This Order does not authorize violation of any federal, state, or local laws and regulations.

ORDERED BY:

*Arthur Sevajian*  
Executive Officer

*August 31, 1988*  
Date