

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION

CLEANUP AND ABATEMENT ORDER NO. 92-046
AGAINST
DELEONS SERVICE CENTER
51298 Harrison Street, Coachella, CA 92236

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

1. Mr. Ramon DeLeon, 85-246 Bagdad Street, Coachella, CA 92236, herein after referred to as the discharger, is the owner and operator of DeLeons Service Center located at 51298 Harrison Street, Coachella, California.
2. The Regional Board received an Underground Storage Tank Unauthorized Release Report on January 30, 1991 indicating that gasoline had leaked from the underground storage tank at the subject facility, resulting in soil and ground water contamination.
3. By letter dated July 26, 1991, the discharger was requested to conduct a complete subsurface investigation of the contamination and submit a report of the results to the County of Riverside, Department of Environmental Health Services (CRDEHS) by August 26, 1991. Said report was not received.
4. By letter dated April 1, 1992, the discharger was informed that the report had not been received, and was requested to begin investigation and remedial action within fourteen days by CRDEHS.
5. By letter dated June 1, 1992, CRDEHS requested Regional Board involvement due to the potential impact on public health and the environment.
6. By letter dated June 17, 1992, the discharger was requested by Regional Board staff to fully define the extent of the hydrocarbon contamination pursuant to Section 13267(a) Chapter 4, Division 7 of the Water Code and submit a technical report to the Regional Board by July 13, 1992.
7. 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."
8. The discharger has caused or permitted the discharge of waste or wastewater into the waters of the State and created a condition of pollution.

*Rescinded
6/22/95*

9. The Water Quality Control Plan for the Colorado River Basin Region of California was adopted May 15, 1991 and designates the beneficial uses of ground and surface waters in this Region.

The beneficial uses of ground waters in the Coachella Hydrologic Subunit are:

- a. Municipal supply (MUN)
 - b. Industrial supply (IND)
 - c. Agricultural supply (AGR)
10. Contamination of the ground water with gasoline will significantly impair the beneficial uses of the ground water.
 11. This enforcement action is exempt from the California Environmental Quality Act pursuant to Section 15308 and 15321, Chapter 3, Title 14 of the California Code of Regulations.

IT IS HEREBY ORDERED that, pursuant to Section 13304 and 13267 of the California Water Code, the discharger, their agents or assigns, shall cleanup and abate the effects of the discharge of gasoline by complying with the following:

1. The discharger, their agents or assignees, shall submit to the CRDEHS and the Regional Water Quality Control Board by the due dates given:
 - A. (September 30, 1992)-- submit a workplan to the CRDEHS and Regional Board Executive Officer for review and acceptance. The workplan will include, but not be limited to, a description of activities by which tasks 1 thru 3, as outlined below, will be completed. If site remediation is currently in progress, said workplan shall summarize completed work at the site.
 1. Fully delineate the vertical and lateral extent of contamination of the soil and ground water at the subject site.
 2. Characterize the site hydrology such that an adequate assessment of contamination migration pathways can be made.
 3. Evaluate actual and potential offsite migration of contamination and methods to mitigate or prevent such an occurrence.
 - B. (November 1, 1992)--submit a progress report which details the progress being made towards the goals outlined in the workplan, including progress toward obtaining proper permits for the work.
 - C. (December 1, 1992)--submit a second progress report as stated in (B).
 - D. (January 1, 1993)--submit a technical report containing the results of work requested in A. above.

- E. (February 1, 1993)--submit a cleanup plan, for approval by the Executive Officer, to remediate all soil and ground water contamination at the subject site which resulted from the leaks described in this order to contaminant levels deemed acceptable by the Executive Officer.
- F. (May 1, 1993)--implement the approved cleanup plan to remediate all soil and ground water contamination at the subject site.
2. All technical and monitoring reports required in conjunction with this order are required pursuant to Section 13267 of the California Water Code and shall include a statement by the discharger or an authorized representative of the discharger certifying that the reports are true, complete, and accurate.
3. Failure to comply with the provisions of this order may subject you to further enforcement action including, but not limited to assessment of civil liability pursuant to Division 7, Article 25, Section 13323(a) of the California Water Code.

ORDERED BY: Philip A. Guanberg
Executive Officer

8-19-92
Date