

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION

CLEANUP AND ABATEMENT ORDER NO. 93-067
AGAINST
COUNTY OF RIVERSIDE
THERMAL AIRPORT
Thermal - Riverside County

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

1. The County of Riverside (County) has owned, at all times, the Thermal Airport property since 1948. The Thermal Airport is located in the Coachella Valley, in central Riverside County, California. It is located two miles south of the City of Coachella and one mile west of the unincorporated community of Thermal (see attached map).
2. The County allowed pesticide aerial applicators to conduct their operation from Thermal Airport. Their operation resulted in the discharge of pesticide wastes onto the ground surface.
3. The County had designated an abandoned taxiway, commonly referred to as the "Crop Duster Strip" (see map), for use by pesticide aerial applicators. The applicators used the area east of the Crop Duster Strip for storage of pesticides, for mixing and loading, and for washing and rinsing pesticide residues from the aircraft. The wastewaters were discharged onto the ground for disposal by evaporation and percolation. The applicators had access to the facilities either through a lease from the discharger or on a fee per use basis. The Crop Duster Strip is to the east and parallel to Taxiway B which in turn is to the east and parallel to Runway 17/35.
4. The County of Riverside, Hazardous Materials Division has conducted extensive sampling of the surface or near surface soil between 1982 and 1988 at the northeast end of the Crop Duster Strip an area that was used from the early 1950's to 1988 by pesticide aerial applicators (see attached map). Analyses of the samples have consistently showed high levels of a broad spectrum of pesticides, including DDT and breakdown products, ethyl and methyl parathion, methidathion, and dioxin in hazardous concentrations. The most recent sampling conducted in 1988 showed levels of DDT and DDE above hazardous concentrations ranging from 2.2 mg/kg to 270 mg/kg in six samples; methyl parathion as high as 45,000 mg/kg; ethyl parathion at 2,800 mg/kg; carbaryl at 1,040 mg/kg; and dioxacarb at 200 mg/kg.
5. In January 1990, the area referred to in Finding No. 4 above, was cleared by a contractor for the County, of pesticide containers and other debris presenting a health hazard. Remediation of the contaminated soil has not been performed to date nor has the testing for pesticides of the subsurface soil or groundwater been conducted to date.
6. Depth-to-ground water at the Thermal Airport is less than ten feet below ground surface.

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CAO 98-016

7. Due to the shallow depth to ground water and sample results showing high levels of pesticides, the ground water has been or is threatened to be polluted by the pesticide wastes in the soil. A nearby storm channel about 200 feet away traversing parallel to the Crop Duster Strip may also be adversely impacted due to its proximity to the contaminated area and due to the fact that the channel intercepts ground water (see attached map).
8. The Thermal Community Project Area which encompasses the Thermal Airport is included in the Redevelopment Plan adopted by the County Board of Supervisors on December 23, 1986. The operation of the Thermal Airport is administered by the County Economic Development Agency (EDA), Aviation Division. The administrative offices of the EDA are located at 3499 10th Street, Riverside, CA 92501.
9. The remediation performed to date by the County, which includes removal of pesticide containers and other surface debris such as ashes from burned pesticide containers, is incomplete. The vertical and horizontal delineation of the contaminated soil and testing of the ground water in the area referred to in Finding No. 4 above, has not been conducted to date.
10. The Water Quality Control Plan for the Colorado River Basin Region of California (Basin Plan) was adopted on May 15, 1991, and designates the beneficial uses of ground and surface waters in this Region.
11. The beneficial uses of ground waters in the Coachella Hydrologic Subunit are:
 - a. Municipal supply (MUN)
 - b. Industrial supply (IND)
 - c. Agricultural supply (AGR)
12. The beneficial uses of the waters in the Coachella Valley Drains are:
 - a. Fresh Water Replenishment of Salton Sea (FRSH)
 - b. Water Contact Recreation (REC I)
 - c. Noncontact Water Recreation (REC II)
 - d. Warm Water Habitat (WARM)
 - e. Wildlife Habitat (WILD)
 - f. Preservation of Rare, Endangered or Threatened Species (RARE)
13. Pollution of the State's waters would significantly impair their beneficial uses.
14. The County has caused or permitted the discharge of waste or wastewater containing pesticides described in Findings No. 4 above, that is threatening to pollute the waters of the State.

15. Section 13304 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. Pursuant to Sections 33459.1 Health and Safety Code either the State Department of Health Services (SDHS) or the California Regional Water Quality Control Board (Regional Board) may require a redevelopment agency to take additional action to remedy or remove the release of hazardous substances from property within the redevelopment project area if the actions taken by an agency to remedy or remove a release of a hazardous substance is not satisfactory to the SDHS or Regional Board.
17. Pursuant to Section 33459.3 Health and Safety Code the cleanup action must be properly completed in accordance with the cleanup plan approved by the Regional Board and must receive affirmative approval of proper completion from the Regional Board in order to secure the immunity from subsequent liability provided therein.
18. Pursuant to Health and Safety Code, Sections 33459 and 33459.3 of Article 12 relating to redevelopment agencies, and to the California Water Code (Water Code) Section 13304(c) the responsible party shall be liable to the extent of the reasonable costs actually incurred by the state in reviewing and approving the cleanup plan and in overseeing implementation of the approved plan.
19. This enforcement action is exempt from the California Environmental Quality Act pursuant to Section 15321, Chapter 3, Title 14 of the California Code of Regulations.

IT IS HEREBY ORDERED, pursuant to Sections 13267 and 13304 of the California Water Code and Section 33459.1 of the Health and Safety Code, that the County shall cleanup and abate the effects described in the above findings as follows:

1. By October 15, 1993, submit a preliminary site assessment report describing the threat to, or adverse impacts on, waters of the state and the need for containment migration control or other interim corrective action measures.
2. By November 30, 1993, submit a workplan for a remedial investigation to assess the nature and extent of the discharge including proposed locations of boreholes and monitoring wells.
3. By February 28, 1994, submit a report that includes an evaluation of corrective action alternatives and a recommended remedial action plan.
4. The investigative and cleanup tasks required in items 1 through 4 above shall be conducted under the direction of a California Registered Civil Engineer, Certified Engineering Geologist or Registered Geologist experienced in the area of ground water and soil cleanup.

5. A request for an extension of time shall be submitted in writing for consideration in the event that the schedule set forth herein or any work schedule, submitted pursuant to this Order and approved by the Regional Board's Executive Officer, cannot be complied with. The extension request shall include justification for the delay.
6. Reimburse the State for all reasonable costs incurred by the State Water Resources Control Board (SWRCB) and Regional Board incurred in overseeing cleanup and/or abatement efforts. The County shall make financial arrangements with the SWRCB for the reimbursement within 20 days of the date of this Order.
7. The County shall permit the Regional Board or its authorized representatives, in accordance with Section 13267 (c) Water Code, the following:
 - a. Entry upon the premises in which any pollution sources exists or may potentially exist or in which any records are kept, which are relevant to this Order;
 - b. Access to records required to be kept under the terms and conditions of this Order for purposes of reviewing or duplicating thereof, and
 - c. Sampling of any ground water or soil which is accessible or may become accessible as part of any investigation or remedial action program undertaken by the discharger.

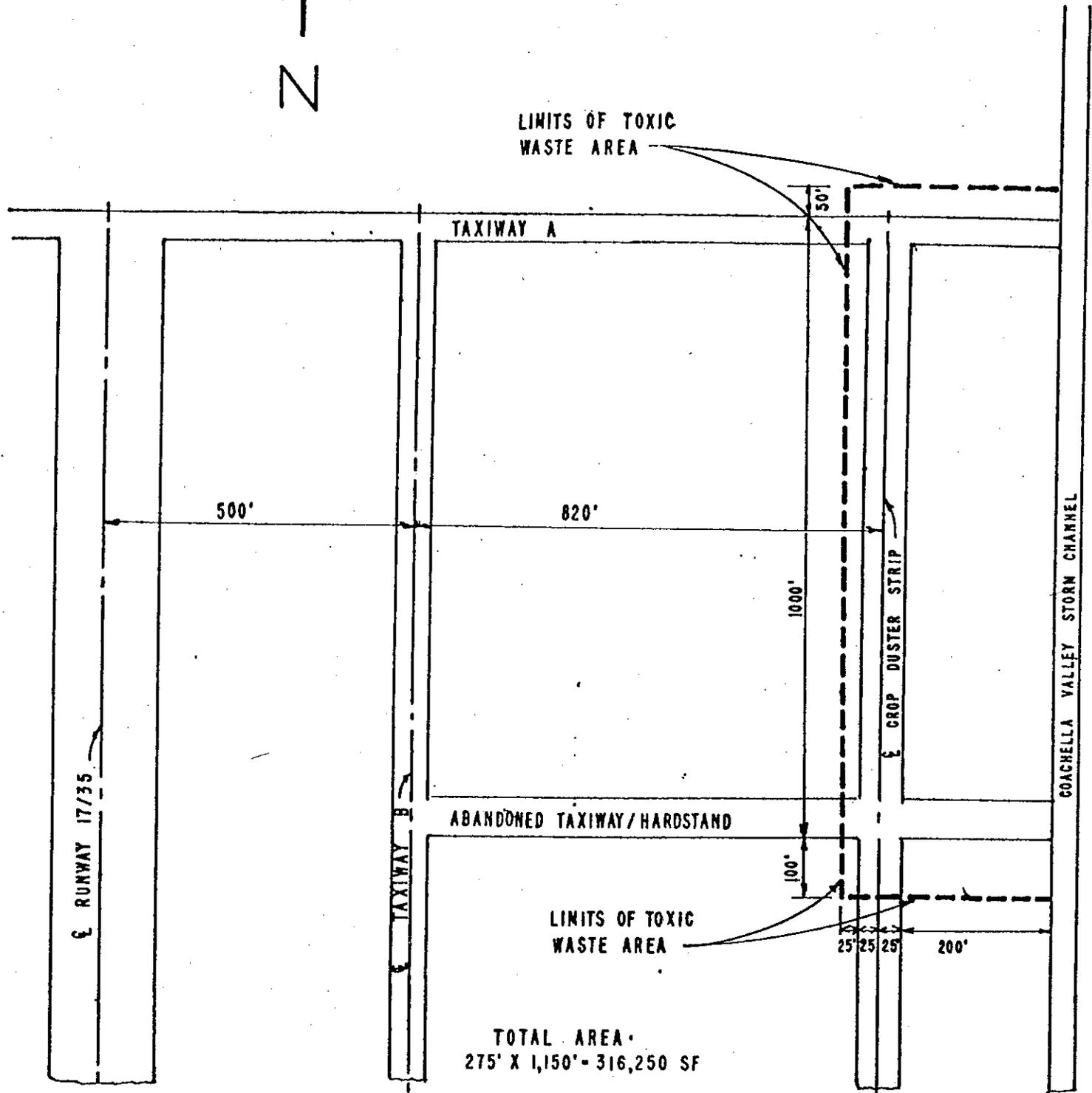
All technical and monitoring reports in conjunction with this Order are required pursuant to Section 13267 of the California Water Code and shall include a statement by the discharger or an authorized representative of the discharger certifying under the penalty of perjury under the laws of the State of California that the report is true, complete, and accurate.

Failure to comply with any provision of this Order may subject you to further enforcement action including, but not limited to, assessment of civil liability pursuant to Sections 13268 and 13350 of the California Water Code, referral for injunctive relief and civil or criminal liability, or reimbursement for corrective action undertaken by the Regional Board to protect human health or the environment pursuant to Section 25299.36, of the California Health and Safety Code.

ORDERED BY: Philip A. Gueheneg
Executive Officer

8-19-93

Date



TOTAL AREA ·
275' X 1,150' - 316,250 SF

**TOXIC WASTE AREA
LOCATED ALONG CROP DUSTER STRIP
EAST OF RUNWAY 17/35
THERMAL AIRPORT
RIVERSIDE COUNTY AVIATION DEPT. OCT. 27, 1988**

