

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

**CLEANUP AND ABATEMENT ORDER NO. 87-75 (Revision No. 1)
AGAINST
ACADEMY OF CREATIVE EDUCATION**

Indio, Riverside County

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

1. Academy of Creative Education (hereinafter referred to as the discharger), P.O. Box 2187, Rolling Hills Estates, California, 90274, is the owner of the property located at 83-139 Lupine Street, Indio, California, 92201.
2. The Regional Board received an Underground Storage Tank Unauthorized Release Report on December 10, 1986 indicating that an underground storage tank had been removed from said property and that gasoline had leaked from the tank and contaminated the soil.
3. The Regional Board staff determined that the gasoline contamination presents a threat to the quality of the ground water.
4. By letter dated January 15, 1987 the discharger was requested to conduct a subsurface investigation of the contamination and submit a technical report containing specific information to this office by March 16, 1987.
5. On April 10, 1987 the Regional Board received a preliminary technical report prepared by Leighton and Associates (technical consultants for the discharger) regarding the gasoline contamination. The report did not contain the information requested but indicated that the ground water is contaminated with gasoline.
6. The discharger has caused or permitted the discharge of waste into the waters of the State and created a condition of pollution.
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."

*Cancelled
8/19/88*

8. The Water Quality Control Plan for the Colorado River Basin Region identifies the beneficial uses of the ground water in the Imperial Hydrologic Subunit as:
 - a. Municipal
 - b. Industrial
 - c. Agricultural
9. Contamination of the ground water with gasoline would significantly impair the beneficial uses of the ground water.
10. This enforcement action is exempt from the California Environmental Quality Act pursuant to Sections 15308 and 15321, Chapter 3, Title 14 of the California Administrative Code.

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 gasoline in the soil and ground water at 83-139 Lupine Street, Indio, California.
2. Submit to the Regional Board by August 24, 1987 a technical report with the results of the complete subsurface investigation as requested in the Regional Board letter to the discharger dated January 15, 1987.
3. Within two weeks of submittal of the technical report, submit a remedial action plan which includes the recovery of the free product in the ground water and extraction of the contaminated ground water.

ORDERED BY:

Arthur Savajian
Executive Officer

August 14, 1987
Date

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

**CLEANUP AND ABATEMENT ORDER NO. 87-75
AGAINST
JAMES INGEBRETSEN**

Indio, Riverside County

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

1. James Ingebretsen (hereinafter referred to as the discharger), P.O. Box 2187, Rolling Hills Estates, California, 90274, is the owner of the property located at 83-139 Lupine Street, Indio, California, 92201.
2. The Regional Board received an Underground Storage Tank Unauthorized Release Report on December 10, 1986 indicating that an underground storage tank had been removed from said property and that gasoline had leaked from the tank and contaminated the soil.
3. The Regional Board staff determined that the gasoline contamination presents a threat to the quality of the ground water.
4. By letter dated January 15, 1987 the discharger was requested to conduct a subsurface investigation of the contamination and submit a technical report containing specific information to this office by March 16, 1987.
5. On April 10, 1987 the Regional Board received a preliminary technical report prepared by Leighton and Associates (technical consultants for the discharger) regarding the gasoline contamination. The report did not contain the information requested but indicated that the ground water is contaminated with gasoline.
6. The discharger has caused or permitted the discharge of waste into the waters of the State and created a condition of pollution.
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."

Superseded
8/14/87
By 87-75
(Rev. 1)

8. The Water Quality Control Plan for the Colorado River Basin Region identifies the beneficial uses of the ground water in the Imperial Hydrologic Subunit as:
 - a. Municipal
 - b. Industrial
 - c. Agricultural
9. Contamination of the ground water with gasoline would significantly impair the beneficial uses of the ground water.
10. This enforcement action is exempt from the California Environmental Quality Act pursuant to Sections 15308 and 15321, Chapter 3, Title 14 of the California Administrative Code.

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 gasoline in the soil and ground water at 83-139 Lupine Street, Indio, California.
2. Submit to the Regional Board by August 24, 1987 a technical report with the results of the complete subsurface investigation as requested in the Regional Board letter to the discharger dated January 15, 1987.
3. Within two weeks of submittal of the technical report, submit a remedial action plan which includes the recovery of the free product in the ground water and extraction of the contaminated ground water.

ORDERED BY:

Arturo Levajian
Executive Officer

June 30, 1987
Date