

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

CLEANUP AND ABATEMENT ORDER NO. 96-057  
FOR

DONALD BORDA, SR., SITE OWNER/OPERATOR  
MEADERS CLEANERS OF SAN FRANCISCO  
AND

MARTIN RUDERMAN, LANDOWNER OWNER  
MICHAEL M. SACK, LANDOWNER OWNER  
SARA SACK, LANDOWNER OWNER  
Palm Springs - Riverside County

The Executive Officer of the California Regional Water Quality Control Board, Colorado River Basin Region, (hereinafter referred to as the Regional Board) finds that:

1. Donald Borda, Sr., owns and operates Meaders Cleaners of San Francisco, a dry cleaning business, at 711 South Palm Canyon Drive, Palm Springs, CA 92264. Martin Ruderman, Michael M. Sack, and Sara Sack are the landowners at the 711 South Palm Canyon Drive address. All the above individuals are hereinafter referred to collectively as dischargers.
2. On January 13, 1987, while conducting the Well Investigation Program (AB 1803), the Desert Water Agency's (DWA) No. 6 well was found to be polluted with tetrachloroethylene (PCE) above the maximum contaminant level (MCL) established by the California Department of Health Services, and polluted with several other chlorinated organic compounds below the MCL. DWA Well No. 6 served, as a municipal well, the community of Palm Springs.
3. On April 2, 1987, Regional Board staff mailed a chemical use and storage questionnaire to all businesses within the geographic area of concern. On May 29, 1987, Meaders Cleaners of San Francisco responded to the April 2, 1987 questionnaire. In the response, signed by Mr. Borda, it is stated that Meaders Cleaners of San Francisco used and stored perchlorethylene, a common name for PCE, and has been in operation since 1969.
4. Tracer Research conducted soil gas surveys for DWA in the immediate area to detect a potential source of the PCE pollution. The surveys were conducted on March 16-19, 1992 and June 13-15, 1994, and indicate elevated concentrations of PCE near and at the property located at 711 South Palm Canyon Drive.
5. A subsurface soil investigation done by the dischargers' consultant on July 31, 1995 and in the proximity of a dry well in connection with the property located at 711 South Palm Canyon Drive found acetone (1,500 parts-per-billion (ppb)), carbon disulfide (11 ppb), PCE (1,400 ppb), and toluene (980 ppb). The range of soil depths sampled in the investigation ranged between 30 to 65 feet.
6. A subsequent subsurface investigation conducted by the dischargers' consultant on June 5-7, 1996, found PCE throughout the soil column from 90 to 240 feet below ground surface at concentrations ranging from 7 to 580 ppb.
7. Groundwater samples collected by the dischargers' consultant from a monitoring well at the site found the concentration of PCE in the groundwater at 600 ppb and 1,000 ppb on June 16, 1996 and September 13, 1996, respectively.

12-30-97  
Rescinded -  
by EAO  
97-145

8. As contained in Table A, Article 5.5, Chapter 15, Title 22 of the California Code of Regulations, the California Department of Health Services established an MCL level for PCE in drinking water at 5 ppb.
9. The dischargers' site is located within the Coachella Hydrologic Unit. The beneficial uses of the Coachella Hydrologic Unit are:
  - a. Municipal Supply
  - b. Industrial Supply
  - c. Agricultural Supply.
10. In a report dated October 1990, the Department of Water Resources released results from an investigation of the pollution in the Desert Water Agency's Well No. 6 entitled "Water Quality Contamination of Desert Water Agency Well No. 6 Phase I". This study indicates that groundwater in the area of the dischargers' site and DWA Well No. 6 moves in an eastward direction.
11. The dischargers' site is approximately 1,056 feet due west and therefore is directly upgradient from the Desert Water Agency's Well No. 6. Therefore, the dischargers' site has created, or threatens to create, a condition of pollution or nuisance due to its proximity to DWA Well No. 6.
12. Section 13304 of the California Water Code states:

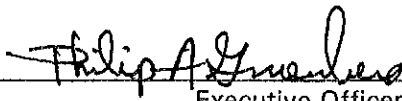
"Any person who has discharged or discharges waste into waters of the state in violation of any waste discharge requirement or other order or prohibition issued by a regional board or the state board, or who has caused or permitted, or threatens to cause or permit any waste to be discharged or deposited 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 the waste or abate the effects of the waste, or, in the case of threatened pollution or nuisance, take other necessary remedial action, including, but not limited to, overseeing cleanup and abatement efforts".
13. This enforcement action is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.) in accordance with Section 15321, Article 19, Division 3, Title 14, California Code of Regulations.

IT IS HEREBY ORDERED that, in accordance with Sections 13304 and 13267 of the California Water Code, the dischargers, their agents or assigns, shall abate the pollution and nuisance threat by complying with the following:

1. By February 15, 1997, the discharger shall submit a corrective action work plan for the Regional Board's Executive Officer review and approval. The work plan shall include the following tasks to be performed:
  - a. Source reduction/abatement proposal;
  - b. A plan to delineate the vertical and horizontal extent of the pollutant plume in the groundwater;
  - c. A remediation plan to clean up the polluted soil and groundwater in the vicinity of the site;
  - d. A time schedule to implement the tasks above.
2. Progress reports describing work done while implementing the approved work plan should be submitted on April 15, 1997 and quarterly thereafter.

Pursuant to Section 13304 of the California Water Code, the discharger is hereby notified that the Regional Board is entitled to, and may seek reimbursement for all reasonable costs actually incurred by the Board to investigate the pollution and to oversee the actions required by this Order. The discharger shall reimburse the Regional Board upon receipt of a billing statement for those costs.

If, in the opinion of the Regional Board's Executive Officer, the dischargers fail to comply with the provisions of this Order in a timely manner, the dischargers may be subject to further enforcement action. Such actions may include, but not be limited to, the assessment of administrative civil liability pursuant to Section 13323 and 13350 of Article 25, Division 7 of the California Water Code, and referral for any injunctive relief and civil or criminal liability.

  
\_\_\_\_\_  
Executive Officer

12-3-96  
\_\_\_\_\_  
Date