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Attorneys for Petitioner
AVIALL SERVICES, INC.

CALIFORNIA STATE WATER RESOURCES CONTROL BOARD

**In the Matter of the Requirement to
Provide a Technical Report for
Supplemental Subsurface Soil
Investigation
Order No. R4-2013-0087**

PETITION FOR REVIEW
Cal. Water Code § 13320 & 23 C.C.R. §
2050

INTRODUCTION

Aviall Services, Inc. ("Petitioner" or "Aviall") hereby petitions for review to the State Water Resources Control Board ("State Board") of the final action of the California Regional Water Quality Control Board, Los Angeles Region ("Regional Board"), in issuing an order ("Order") pursuant to California Water Code Section 13267, requiring Aviall to submit a Supplemental Subsurface Soil Investigation Workplan ("Supplemental Workplan") to delineate the vertical extent of hexavalent chromium at the former Aviall property in Burbank, CA ("Site"). This petition for review is filed pursuant to California Water Code § 13320 and 23 C.C.R. § 2050, and is timely because it is filed within 30 days of the date of the June 10, 2013 Order. A copy of the Order is attached hereto as **Exhibit A**.

Aviall is submitting this petition as a protective filing. Aviall and the Regional Board are currently engaged in negotiations to discuss modifications to the scope of the Order; however, Aviall must timely file this petition to preserve its rights to seek relief from this Order, if necessary. Because this is a protective filing, Aviall reserves its rights to revise, amend and/or supplement this petition in the event it becomes necessary to proceed before the State Board.

Aviall requests the State Board to hold this petition in abeyance pursuant to 23 C.C.R. § 2050.5. Petitioner reserves its right to seek a stay of the Order by the State Board.

PETITION FOR REVIEW

I. Name and Address of Petitioner

Petitioner is Aviall Services, Inc. Petitioner's address is P.O. Box 619048, Dallas, Texas, 75261. The Site's address is 3111 Kenwood Street, Burbank, California, 91505.

Petitioner may be contacted through its counsel of record. The telephone number and email address of Petitioner's counsel is provided on the first page of this petition.

II. The Regional Board Action for Which this Petition for Review is Sought

The Regional Board action for which this petition is filed is the issuance of the Order to Provide a Technical Report for Supplemental Subsurface Soil Investigation, Order No. R4-2013-0087, dated June 10, 2013. A copy of the Order is attached hereto as **Exhibit A**.

III. The Date the Regional Board Acted

The Regional Board's Order was issued on June 10, 2013.

IV. Statement of Reasons the Action is Inappropriate and Improper

The Order issued by the Regional Board is inappropriate, improper, unreasonable, arbitrary and capricious, or not supported by the record, for the following reasons:

Among other things, section 13267 of the California Water Code permits the Regional Board to require "technical or monitoring program reports" from any person who "has discharged, discharges, or is suspected of having discharged or discharging, or proposes to discharge waste within its region." In requiring such a report, the Regional Board must "provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports."

The Regional Board's Order alleges that hexavalent chromium has impacted groundwater within the San Fernando Valley Groundwater Basin ("Basin") and states that the purpose of the Order is "to determine whether the subsurface soil conditions at the Site are causing or threatening to cause discharges of waste to the waters of the State

within the Basin.” Order at p. 2, ¶7. However, the evidence the Board cites does not support the Supplemental Workplan required by the Order.

The Order’s stated bases for requiring the Supplemental Workplan are (1) the identification of chromium at the Site in 1992 and (2) the soil sampling results contained in the Soil Investigation Report (“Report”) that Petitioner submitted to the Regional Board in February 2013. Neither of these bases justifies the Supplemental Workplan required by the Order, which requires a complete vertical delineation of the extent of hexavalent chromium beneath the Site, including the collection of a groundwater sample. Order at p. 2, ¶6; p. 3, ¶3.

Regarding the first basis for requiring the Supplemental Workplan, Petitioner conducted sampling and soil excavation in response to the total (not hexavalent) chromium detections in 1992. As a result, on October 18, 1994, the Regional Board issued a “no further action” letter which concluded that “...no further action is required with regard to the metal contamination at the former plating shop area [i.e., the Site]”.¹ Accordingly, the presence of chromium at the Site in 1992 cannot serve as a basis for requiring additional vertical delineation of hexavalent chromium now, nearly 19 years after the Regional Board determined that no further action was required with regard to chromium contamination at the Site.

With respect to the second stated basis for requiring the Supplemental Workplan, sampling conducted in 2012 (and contained in the Report) identified hexavalent chromium in several of the soil samples, and the highest concentration was identified at the deepest sample collected (100 feet below ground surface). However, the Regional Board misapprehends the appropriate U.S. Environmental Protection Agency (“EPA”) Region 9 Regional Screening Level (“RSL”) when it states that “[t]he analytical data presented in the Report showed hexavalent chromium occurrence in approximately 90% of the native soils sampled at concentration exceeding the USEPA [RSL].” Order at p. 2, ¶4. This statement would only be correct *if* one applied the residential RSL of 0.29 milligrams of chromium per kilogram (“mg/kg”) to the 2012 sampling results contained in the Report. *See* Report at p. 11, Table 1. However, the Site is zoned industrial and, accordingly, the appropriate screening level is the industrial RSL of 5.6 mg/kg. Therefore, it is not the case that 90% of the soil samples at the Site exceed the appropriate RSL.

Further, the depth to groundwater at the Site has been reported at approximately 260 feet, indicating the unlikelihood of the chromium present in the soil ever reaching groundwater. Relatedly, given the numerous other sources of historic hexavalent chromium contamination in the Basin and the small contribution of hexavalent chromium *to the soil* from Petitioner’s historic operations, it is unlikely that the Site is a

¹ A copy of the 1994 Regional Board “no further action” letter is attached hereto as **Exhibit B**.

source of hexavalent chromium that could cause or threaten to cause any discharge of waste to the waters of the State within the Basin. Thus, the modest concentrations of hexavalent chromium detected in soil at the Site to date do not warrant the collection of groundwater samples.²

V. Petitioner is Aggrieved

Petitioner does not object to complying with the Regional Board's request to conduct focused, additional soil investigation at the Site to determine the vertical extent of hexavalent chromium concentrations in soil. However, the data collected to date does not warrant or justify groundwater sampling at this time, and requiring Petitioner to prematurely collect this data could potentially expose Petitioner to unwarranted administrative and civil liability, including litigation by other potentially responsible parties.

VI. Petitioner's Requested Action by the State Board

Petitioner respectfully requests that the State Board direct the Regional Board to rescind the Order and issue a new order requiring Aviall to submit a workplan that requests only the collection of additional soil samples to determine the vertical extent of hexavalent chromium in the former plating area of the Site, and does not request the collection of a groundwater sample.

VII. Statement of Points and Authorities

Petitioner requests the State Board to hold in abeyance this petition for review pending further discussions between Petitioner and the Regional Board. Petitioner will notify the State Board if it intends to activate this appeal. Petitioner understands it will be given the opportunity to amend this petition and submit a detailed statement of points and authorities in the event this petition is converted to active status. However, Petitioner submits this brief statement of points and authorities now.

As discussed above, the Order does not provide a "written explanation" or "evidence" that "supports requiring [Aviall] to provide" the requested Supplemental Workplan, specifically, the collection of a groundwater sample, as California Water Code section 13267 requires.

The Regional Board has an affirmative duty to "bridge the analytical gap between the raw evidence and the ultimate decision or order." *Topanga Ass'n for a Scenic Community v. County of Los Angeles*, 11 Cal. 3d 506, 515 (1974). This process serves

² Although the Order is titled "Order to Provide a Technical Report for Supplemental Subsurface Soil Investigation" and discusses only the need for additional soil sampling in the cover letter and in the majority of the Order, the Supplemental Workplan requirements include the collection of soil *and groundwater* samples. See Order at p. 3, ¶3.

to "conduce the administrative body to draw legally relevant sub-conclusions supportive of its ultimate decision; the intended effect is to facilitate orderly analysis and minimize the likelihood that the agency will randomly leap from evidence to conclusions." *Id.* at 516. The Regional Board did not meet this standard when it included groundwater sampling in the Supplemental Workplan required by the Order.

For these reasons, the Order is unreasonable, arbitrary and not supported by the evidence.

VIII. Statement of Transmittal of Petition to the Regional Board

A copy of this petition has been transmitted electronically to the Executive Officer of the Regional Board on July 9, 2013 and will be transmitted to the Executive Officer of the Regional Board by mail on July 10, 2013.

IX. Statement as to Whether Issues Raised in this Petition were Presented to the Regional Board prior to Regional Board Action

Despite several attempts by Petitioner to discuss the findings of the February 2013 Report with the Regional Board, Petitioner was not contacted by the Board prior to the Regional Board's issuance of the Order. However, prior to filing this petition, Petitioner objected to the Regional Board's Order and requested that the Order be modified to exclude the requirement to sample groundwater. Petitioner's efforts to negotiate a compromise solution with the Regional Board have so far been unavailing, but Petitioner is optimistic that it can negotiate a compromise to the Order if provided additional time.

X. Request to Regional Board for Preparation of the Administrative Record

By copy of this petition to the Executive Officer of the Regional Board, Petitioner hereby requests the preparation of the administrative record herein. Petitioner reserves its right to request a hearing for the purpose of presenting additional evidence not previously presented to the Regional Board, in accordance with 23 C.C.R. § 2050.6(b).

Dated: July 9, 2013

Respectfully submitted,

PETER H. WEINER / by BCC
Peter H. Weiner
Ben B. Carrier
Paul Hastings LLP
Attorneys for Petitioner Aviall Services, Inc.

EXHIBIT A

**Order To Provide a Technical
Report for Supplemental
Subsurface Soil Investigation
California Water Code Section 13267
Order No. R4-2013-0087**



EDMUND G. BROWN, JR.
GOVERNOR

MATHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

June 10, 2013

Ms. Robin Everly
General Counsel
Aviall Services, Incorporated
P.O. Box 619048
Dallas, Texas 75261

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7012 1640 0000 6228 2904

**SUBJECT: REVIEW OF SOIL INVESTIGATION REPORT AND REQUIREMENT FOR SUPPLEMENTAL
SUBSURFACE SOIL INVESTIGATION PURSUANT TO CALIFORNIA WATER CODE SECTION
13267 ORDER NO. R4-2013-0087**

**SITE: FORMER AVIALL SERVICES, INCORPORATED FACILITY, 3111 KENWOOD STREET,
BURBANK, CALIFORNIA (FILE NO. 104.0150)**

Dear Ms. Everly:

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) is the public agency with primary responsibility for the protection of ground and surface water quality for all beneficial uses within major portions of Los Angeles and Ventura County, including the referenced Site.

The Regional Board has reviewed the Soil Investigation Report (Report), dated February 7, 2013 submitted by Avocet Environmental, Incorporated on your behalf for the former Aviall Services, Incorporated (Aviall) facility located at 3111 Kenwood Street, in the City of Burbank, California (the Site). The Report was prepared in response to the Regional Board's California Water Code (CWC) section 13267 Order dated January 12, 2012.

Based on the review of the Report and the Regional Board's file information, we have determined that the past use of chromic acid during previous plating operations performed by Aviall may have contributed to the contamination of the regional groundwater.

Enclosed is a Regional Board Order for technical report requirements pursuant to CWC section 13267 Order No. R4-2013-0087 (Order). The Order requires you to conduct a further investigation in order to delineate the vertical extent of hexavalent chromium in the subsurface soils beneath the Site. As the responsible party, you are required to comply with the Order and prepare a Supplemental Subsurface Soil Investigation Workplan for the Site.

MARIA MEHRANIAN, CHAIR | SAMUEL UNGER, EXECUTIVE OFFICER

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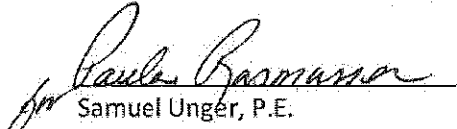
Ms. Robin Everly
Former Aviall Facility

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June 10, 2013

Should you have any questions related to this project, please contact Mr. Larry Moore via telephone at (213) 576-6730 or via email at lmoore@waterboards.ca.gov.

Sincerely,


Samuel Unger, P.E.
Executive Officer

Attachments: California Water Code Section 13267 Order No. R4-2013-0087

cc: Ms. Lisa Hanusiak, USEPA Region 9
Mr. Leo Chan, City of Glendale
Mr. Bill Mace, City of Burbank Water Supply Department
Mr. Vahe Dabbaghian, Los Angeles Department of Water & Power
Mr. Milad Taghavi, Los Angeles Department of Water & Power
Mr. Richard Slade, ULARA Watermaster
Mr. Bob Scott, Boeing Corporation



Los Angeles Regional Water Quality Control Board

**ORDER TO PROVIDE A TECHNICAL REPORT FOR
SUPPLEMENTAL SUBSURFACE SOIL INVESTIGATION
CALIFORNIA WATER CODE SECTION 13267 ORDER NO. R4-2013-0087**

DIRECTED TO AVIALL SERVICES, INCORPORATED

**FORMER AVIALL SERVICES, INCORPORATED FACILITY
3111 KENWOOD STREET, BURBANK, CALIFORNIA
(WIP FILE NO. 104.0150)**

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) makes the following findings and issues this Order pursuant to California Water Code (CWC) section 13267, which authorizes the Regional Board to require the submittal of technical and monitoring reports:

1. The groundwater within the San Fernando Valley Groundwater Basin (Basin) has been impacted by discharges of heavy metals, specifically chromium. The San Fernando Valley Superfund Site (Superfund Site) lies within the Basin. The United States Environmental Protection Agency (USEPA) and the Regional Board are investigating the potential sources of the discharges to the Basin. The agencies are currently focused on identifying individuals and companies responsible for the discharges of chromium in the Basin and holding them responsible for the investigation and remediation of the source sites. The property located at 3111 Kenwood Street, in the City of Burbank, California (the Site) is a potential source of chromium and overlies the Basin.
2. The Site was formerly occupied by Aviall Services, Incorporated (Aviall), who conducted metal finishing operations as a function of its aviation manufacturing processes. In 1992, a release of hexavalent chromium was confirmed while conducting a soil investigation and limited soil excavation and removal was performed. On January 12, 2012, the Regional Board issued Aviall a CWC section 13267 Order to delineate the subsurface soil contamination beneath the Site. A Soil Investigation Report (Report), dated February 7, 2013, was submitted to the Regional Board summarizing the results of the subsurface soil investigation conducted at the Site in response to the January 12, 2012 CWC section 13267 Order. Based on our review of the Report, we have determined that a supplemental subsurface soil investigation is required in order to delineate the vertical extent of the hexavalent chromium contamination.
3. CWC section 13267(b)(1) states:

"In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or, discharging, or who proposes to discharge waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste outside of its region that could affect the quality of waters within its region shall furnish,

MARIA MEHRANAN, CHAIR | SAMUEL UNGER, EXECUTIVE OFFICER

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under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports."

4. The Regional Board has reviewed the Report, submitted by Avocet Environmental, Incorporated on your behalf for the subsurface soil investigation conducted at the former Aviall facility. The analytical data presented in the Report showed hexavalent chromium occurrence in approximately 90% of the native soils sampled at concentrations exceeding the USEPA regional screening level. The maximum hexavalent chromium concentration was reported at the deepest sample depth of 100 feet below grade. Therefore, an additional investigation is required in order to fully delineate the vertical extent of the hexavalent chromium pollution in the subsurface soils and the potential impact to the groundwater beneath the Site.
5. This Order identifies Aviall as the entity responsible for the contamination located beneath the Site as identified in paragraphs two (2) and four (4) because Aviall operated the activity that resulted in the discharge of waste to the subsurface.
6. This Order requires the persons/entities named herein to prepare and submit a Supplemental Subsurface Soil Investigation Workplan (Workplan) in order to vertically delineate the extent of the chromium contamination beneath the Site and determine if the contamination may pose a threat to groundwater. You are expected to submit a complete Workplan, as required by this Order, to the Regional Board. The Regional Board may reject the Workplan if it is deemed not to be complete and/or require revisions to the Workplan under this Order.
7. The Regional Board needs this information in order to determine whether the Site is a source of discharges of waste, specifically chromium, and to determine whether the subsurface soil conditions at the Site are causing or threatening to cause discharges of waste to the waters of the State within the Basin.
8. The burdens, including costs, of the reports bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. The information is necessary to identify sources of discharges of waste to the Basin and to assure adequate assessment and cleanup of the former Aviall facility, which as described above potentially poses significant threats to public health and the environment.
9. The issuance of this Order is an enforcement action by a regulatory agency and is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15321(a)(2), Chapter 3, Title 14 of the California Code of Regulations. This Order requires submittal of technical and/or monitoring reports and workplans. The proposed activities under the Workplan are not yet known. It is unlikely that implementation of the Workplan associated with this Order could result in anything more than minor physical changes to the environment. If the implementation may result in significant impacts on the environment, the appropriate lead agency will address the CEQA requirements prior to implementing any work.

10. Any person aggrieved by this action of the Regional Board may petition the State Water Resources Control Board (State Board) to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at the following link:

http://www.waterboards.ca.gov/public_notices/petitions/water_quality

or will be provided upon request.

THEREFORE, IT IS HEREBY ORDERED that Aviall, pursuant to section 13267(b) of the CWC, is required to:

1. Submit a Subsurface Soil Investigation Workplan (Workplan) to the Regional Board by August 26, 2013. Guidance documents to assist you with this task can be found on the internet at the following links:

"General Work Plan Requirements for a Heavy Metal Soil Investigation"

http://www.waterboards.ca.gov/losangeles/water_issues/programs/remediation/GeneralWorkplanRequirementsforaHeavyMetalsSoilInvestigation.pdf

"Interim Site Assessment & Cleanup Guidebook (May1996),"

http://www.waterboards.ca.gov/losangeles/water_issues/programs/remediation/may1996_vo_c_guidance.shtml

"Quality Assurance Project Plan"

http://www.waterboards.ca.gov/losangeles/water_issues/programs/remediation/Board_SGV-SFVCleanupProgram_Sept2008_QAPP.pdf

2. The Workplan must contain a health and safety plan (HASP), as per the guidelines.
3. The Workplan shall consist of one (1) soil boring to extend to the current depth of the static groundwater level beneath the Site for the purpose of collecting a representative groundwater sample to be analyzed for hexavalent chromium.
4. The Workplan must include proposed soil sampling to be performed throughout the soil column to the target depth (groundwater interface). If a fine-grained soil unit, at least 4 feet in thickness is encountered, which possesses a hydraulic conductivity (K value) of approximately 10^{-5} centimeters per second (cm/s), then soil sampling and vertical exploration may be halted above the groundwater target depth.
5. The Workplan shall include a detailed schedule of implementation of the Workplan, including field work and providing a report of the results to the Regional Board.

6. Upon approval, the Workplan shall be implemented and a report summarizing the results according to the approved schedule must be submitted to the Regional Board.

The above item shall be submitted to:

Mr. Larry Moore
Staff Environmental Scientist
Remediation Section
Los Angeles Regional Water Quality Control Board
320 West 4th Street, Suite 200
Los Angeles, California 90013
Phone: (213) 576-6730
Email: lmoore@waterboards.ca.gov

Pursuant to 13267(a) of the CWC, any person who fails to submit reports in accordance with the Order is guilty of a misdemeanor. Pursuant to section 13268(b)(1) of the CWC, failure to submit the required Workplan described above by the specified due date(s) may result in the imposition of administrative civil liability by the Regional Board in an amount up to one thousand dollars (\$1,000) per day for each day the Workplan is not received after the above due date. These civil liabilities may be assessed by the Regional Board for failure to comply, beginning with the date that the violations first occurred, and without further warning.

The Regional Board, under the authority given by the CWC section 13267, subdivision (b)(1), requires you to include a perjury statement in all reports submitted under the 13267 Order. The perjury statement shall be signed by a senior authorized Aviall representative (not by a consultant). The perjury statement shall be in the following format:

"I, [NAME], certify under penalty of law that this document and all attachments were prepared by me, or under my direction or supervision, in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The State Board adopted regulations (Chapter 30, Division 3 of Title 23 & Division 3 of Title 27, California Code of Regulation) requiring the electronic submittal of information (ESI) for all site cleanup programs, starting January 1, 2005. Currently, all of the information on electronic submittals and GeoTracker contacts can be found on the Internet at the following link:

http://www.waterboards.ca.gov/ust/electronic_submittal.


Ms. Robin Everly
Aviall Services, Incorporated

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June 10, 2013

To comply with the above referenced regulation, you are required to upload all technical reports, documents, and well data to GeoTracker by the due dates specified in the Regional Board letters and orders issued to you or for the Site. However, the Regional Board may request that you submit hard copies of selected documents and data in addition to electronic submittal of information to GeoTracker.

SO ORDERED.

for 
Samuel Unger, P.E.
Executive Officer

6-10-2013
Date

EXHIBIT B

October 18, 1994 Regional Board
Letter Regarding Well Investigation
Program - Supplementary Soil
Investigation Former Aviall Facility,
3111 Kenwood Street, Burbank,
California (File No. 104.0150)

STATE OF CALIFORNIA—ENVIRONMENTAL PROTECTION AGENCY

PETE WILSON, Governor

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION**

 101 CENTRE PLAZA DRIVE
 MONTEREY PARK, CA 91754-2150
 (213) 266-7300
 FAX: (213) 264-7600


Post-It™ brand fax transmittal memo 7671		# of pages » 3
To Kevin Green	From JAY HUANG	
Co.	Co.	
Dept.	Phone #	213 206 7608
Fax # 310 427 0805	Fax #	

October 18, 1994

 Ms. Genie Jones
 Aviall Incorporated
 7511 Lemmon Avenue, Building B
 Dallas, Texas 75209

 WELL INVESTIGATION PROGRAM - SUPPLEMENTARY SOIL INVESTIGATION
 FORMER AVIALL FACILITY, 3111 KENWOOD STREET, BURBANK, CALIFORNIA
 (File No. 104.0150)

We have reviewed the Site Assessment Report, prepared by your consultant, SCS Engineers, dated September 30, 1994. The report described results of contamination investigation of petroleum hydrocarbons, volatile organic compounds (VOC), and metals at the site.

I. Heavy Metals Investigation

Chromium and nickel had previously been identified in soil at former plating shop area, and some portion of the contaminated soil had already been excavated to a maximum depth of 12 feet below grade. As per our August 2, 1994, letter, soil samples from boring B52 between 35 and 80 feet below grade were analyzed for soluble hexavalent chromium using wet extraction test. Results showed all samples analyzed had their concentrations (0.03 mg/l maximum) below Soluble Threshold Limit Concentrations (STLC) of hexavalent chromium of 5 mg/l. Therefore no further action is required with regard to the metal contamination at the former plating shop area.

II. VOC Investigation

Soil gas samples from the two existing nested vapor probes (VW1 and VW2) showed tetrachloroethylene (37 µg/l), 1,1,1-trichloroethane (17 µg/kg), and 1,1-Dichloroethene (3.7 µg/l). Freon 113, which was not detected during two previous sampling, was detected at 62.6 µg/l. We concur with your recommendation of continuing soil-gas monitoring of vapor monitoring probes. The next soil gas monitoring report from the two nested vapor probes is due by January 15, 1995.

Ms. Genie Jones

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III. Petroleum Hydrocarbons Investigation

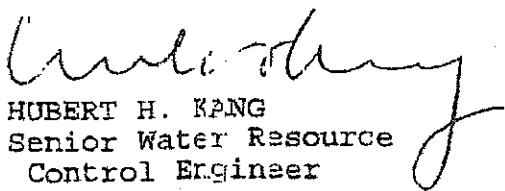
A 200-foot soil boring has been completed at former underground jet-fuel storage tank area at the southwest corner during this investigation. The boring has been converted into a vapor monitoring/extraction well (VW-3). Elevated concentrations of total petroleum hydrocarbons up to 28,900 mg/kg and aromatic hydrocarbons (xylenes up to 37 mg/kg) had previously been detected in soil matrix samples. Based on the results of soil boring from previous and present investigation, the lateral and vertical extent of soil contamination has been delineated at the tank site.

In a letter dated October 11, 1994, SCS Engineering is proposing a vapor extraction test at vapor well VW-3. An 70-foot-deep observation well will be installed to measure the performance to vapor extraction test. The test is schedule for October 20, 1994. We have no objection to your performing the test, provided that the following conditions are met:

1. Vapor extraction must be tested separately at the upper and lower screened intervals. A packer must be used to effectively seal the casing at approximately 80 feet below grade.
2. The report must includes: 1) copies of field data, calculations, graphs used to determine the radius of influences; 2) estimate of mass of hydrocarbon contaminants and volume of contaminated soil; 3) drawing of subsurface cross section and air flow pattern; 4) results of lab analyses of soil gas samples (as per our lab requirements); 5) recommendations of cleanup options.

You are requested to submit a summary report subsequent to the vapor extraction test. The report is due by December 15, 1994.

If you have any questions concerning this matter, please call Mr. Jay C. Huang at: (213) 266-7608.


HUBERT H. KANG
Senior Water Resource
Control Engineer

Ms. Genie Jones
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cc: David Sater, U.S. EPA, Region IX
Mel Blevins, ULARA Watermaster
Tom Klinger, L. A. County Forester and Fire Warden
Kevin Green, SCS Engineers
Josef Solares, Burbank Fire Department