

**State of California
California Regional Water Quality Control Board, Los Angeles Region**

**RESOLUTION NO. R14-006
April 10, 2014**

**Resolution Adopting the Petroleum Underground Storage Tank (UST)
Emergency, Abandoned, and Recalcitrant (EAR) Account Fiscal Year 2014-2015
Annual Priority Site List for the Los Angeles Region**

WHEREAS, the California Regional Water Quality Control Board, Los Angeles Region (Los Angeles Water Board or Board) finds that:

1. Chapter 6.75 of the California Health and Safety Code authorizes the State Water Resources Control Board (State Water Board) to provide funding to Regional Water Quality Control Boards (Regional Water Boards) or local agencies to initiate corrective action at petroleum underground storage tank (UST) sites that have had an unauthorized release and that require either: (a) an immediate or prompt action response to protect human health, safety, and the environment (emergency site); (b) action at a site where a responsible party (RP) cannot be identified or located (abandoned site); or (c) action at a site where an RP is either unable or unwilling to take the required corrective action (recalcitrant site).
2. Regional Water Board Executive Officers and Local Agency Directors may verbally request emergency funds to be used for emergency response, if immediate action is required. Approval of those requests will be limited to those sudden cases where a crisis situation, caused by an unauthorized release of petroleum from a petroleum UST, poses an immediate threat to human health, safety, and the environment.
3. Provided there are sufficient funds in the EAR Account, the State Water Board surveys the Regional Water Boards and local agencies annually to obtain a list of nominated and eligible abandoned and recalcitrant UST sites where corrective action funding is necessary. The State Water Board thereafter develops an EAR Annual Site List to identify sites eligible for EAR Account funding statewide.
4. The State Water Board requested the Regional Water Boards to: (a) contact local agencies in their regions to identify any abandoned and recalcitrant petroleum UST sites for inclusion on the State Water Board's EAR Account Fiscal Year (FY) 2014-2015 Annual Site List; and (b) submit their annual priority list of recommended Regional Water Board and local agency sites to the State Water Board for EAR Account funding.
5. The public has had an opportunity to review and comment upon this Resolution and accompanying priority site list. The draft Resolution was released for public review prior to Board action. The Los Angeles Water Board considered all comments received at its regular meeting held on April 10, 2014.

THEREFORE, BE IT RESOLVED:

1. The Los Angeles Water Board hereby adopts the Petroleum UST EAR Account FY 2014-2015 Annual Priority Site List for the Los Angeles Region, as set forth in Attachment "A" to this Resolution.

2. The Executive Officer is directed to forward a copy of this Resolution to the State Water Board.
3. The Executive Officer is authorized to add, delete, or modify the sites identified in Attachment "A" during the fiscal year, as necessary.

I, Samuel Unger, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, Los Angeles Region, on April 10, 2014.


Samuel Unger, P.E.
Executive Officer

California Regional Water Quality Control Board
Los Angeles Region

ATTACHMENT "A" TO RESOLUTION NO. R14-006

**Petroleum Underground Storage Tank Emergency, Abandoned, and
Recalcitrant (EAR) Account FY 2014-2015 Annual Priority Site List**

#	Site & Responsible Parties	Contacts	Contaminants of Concern	EAR Funding Justification	Proposed Corrective Action	Funding Requested
1	<p><u>Site:</u> Kim's ARCO AM/PM Mini Mart 311 East Rosecrans Avenue Compton, CA 90221</p> <p><u>Regional Board Case No.:</u> R-11020</p> <p><u>Responsible Parties:</u> Mr. Yon Kyu Kim and Mrs. Ki Sook Kim 127 Citrine Court Gardena, CA 90248</p>	<p><u>LARWQCB:</u> Magdy Baiady (213) 576-6699 Yi Lu (213) 576-6695</p> <p><u>Local Agency:</u> Los Angeles County DPW Phillip Gharibians-Tabrizi (626) 458-5976 (ext. 5976) Tim Smith (626) 458-3511</p>	<p>Petroleum Hydrocarbons, Chromium</p>	<p>The RPs/present land owners are recalcitrant due to indigence.</p> <p>USEPA conducted financial research and analysis on the RPs' ability to pay, as part of a Cooperative Agreement with the State Water Board, which indicated that the RPs currently have no ability to pay for the required assessment and cleanup work.</p>	<p>Determine the lateral and vertical extent of soil and groundwater contamination. If groundwater is found to be contaminated, groundwater monitoring wells should be installed to assess the plume extent and stability, as well as relevant hydrogeologic parameters. A determination of whether remedial actions will be necessary to protect human health/safety and the environment, and to what extent, will be made after the investigation is complete.</p>	<p>\$150,000</p>

2	<p>Site: Former M & M Texaco Service Station 21212 Alameda Street South Carson, CA 90810</p> <p><u>Regional Board Case No.:</u> R-20297</p> <p><u>Responsible Parties:</u> Buford T. Smith Family Trust c/o Ms. Pamela Smith-Harper 3553 Atlantic Avenue, #2 Long Beach, CA 90807</p>	<p><u>LARWQCB:</u> Arman Toumari (213) 576-6708 Yi Lu (213) 576-6695</p> <p><u>Local Agency:</u> Los Angeles County DPW John Awujo (626) 458-3507 Tim Smith (626) 458-3511</p>	Petroleum Hydrocarbons	The RPs/present land owners are recalcitrant.	Determine the lateral and vertical extent of soil and groundwater contamination. If groundwater is found to be contaminated, groundwater monitoring wells should be installed to assess the plume extent and stability, as well as relevant hydrogeologic parameters. A determination of whether remedial actions will be necessary to protect human health/safety and the environment, and to what extent, will be made after the investigation is complete.	\$150,000
3	<p>Site: Former Old Five, Inc. 17321 South Clark Avenue Bellflower, CA 90706</p> <p><u>Regional Board Case No.:</u> I-15840</p> <p><u>Responsible Parties:</u> Mr. Russ Rottigni (Property Manager) Rottigni Family Trust (Property Owner) 9338 Artesia Blvd., #20 Bellflower, CA 90706 Phone: (714) 713-5343 Email: r.rottnij2@verizon.net</p> <p>Ms. Shirley J. Rottigni (Trustee) Rottigni Family Trust (Property Owner) 9733 Cedar Street Bellflower, CA 90706</p>	<p><u>LARWQCB:</u> Noman Chowdhury (213) 576-6704 Gregg Kwey (213) 576-6702</p> <p><u>Local Agency:</u> Los Angeles County DPW Tim Smith (626) 458-3511</p>	Petroleum hydrocarbons	The RPs/present land owners are recalcitrant.	Determine the lateral and vertical extent of soil and groundwater contamination. If groundwater is found to be contaminated, monitoring wells should be installed to assess the plume extent and stability. A determination of whether remedial actions will be necessary to protect human health/safety and the environment, and to what extent, will be made after the investigation is complete.	Additional \$100,000 (\$100,000 already approved)

4	<p><u>Site:</u> Former Mobil Service Station 402 Atlantic Avenue Long Beach, CA 90802</p> <p><u>Regional Board Case No.:</u> 908020234</p> <p><u>Responsible Party:</u> Israel Dakar c/o Arthur B. Cook, Esq. Hill, Farrer & Burrill, LLP 300 S Grand Ave., 37th Floor Los Angeles, CA 90071 Phone: 213-621-0822 Email: acook@hfbllp.com; acook@hillfarrer.com</p>	<p><u>LARWQCB:</u> David M. Bjostad (213) 576-6712 Weixing Tong (213) 576-6715</p> <p><u>City of Long Beach:</u> Carmen Piro (562) 570-4137</p>	<p>Petroleum hydrocarbons</p>	<p>The RP/present land owner is recalcitrant.</p>	<p>The contaminated soil and polyethylene liner that was placed in the excavation area during UST removal activities will need to be removed and disposed. The secondary source, product piping, should also be removed. Additionally, the lateral and vertical extent of soil and groundwater contamination will need to be determined. Soil and groundwater sampling should be performed beneath the former petroleum USTs and along the perimeter of the previous excavation areas. If groundwater is found to be contaminated, monitoring wells should be installed to assess the plume extent and stability. A determination of whether remedial actions will be necessary to protect human health/safety and the environment, and to what extent, will be made after the investigation is complete.</p>	<p>\$0</p> <p>(\$300,000 already approved)</p>
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5	<p><u>Site:</u> Juarez Carwash 906 W. Rosecrans Avenue (Formerly 900 W. Rosecrans Avenue in GeoTracker) Compton, CA 90220</p> <p><u>Regional Board Case No.:</u> R-26764</p> <p><u>Responsible Parties:</u> Rene and Petra Juarez 1012 South Windsor Boulevard Los Angeles, CA 90019 Phone: (213) 805-1071 Email: 1012900@sbcglobal.net</p> <p><u>Potentially Responsible Parties:</u> Mr. Gary A. Lazar Ms. Divine G. Lazar (now Richardson) Mr. George A. Pearson Mrs. Regina M. F. Pearson</p>	<p><u>LARWQCB:</u> Arman Toumari (213) 576-6708 Yi Lu (213) 576-6695</p> <p><u>Local Agency:</u> Los Angeles County DPW Tim Smith (626) 458-3511</p>	<p>Petroleum hydrocarbons, MTBE, Benzene</p>	<p>The RPs/present land owners claim to be indigent and are recalcitrant.</p>	<p>Determine the lateral and vertical extent of soil and groundwater contamination. Monitoring wells need to be installed along the perimeter of the former UST excavation area. Additionally, shallow soil (0-10 feet below ground surface) contamination (secondary source) should be remediated. Soil and groundwater samples should be analyzed for petroleum hydrocarbons and chlorinated solvents during drilling and completion activities. Groundwater will need to be monitored periodically after well completion. A determination of whether remedial actions will be necessary to protect human health/safety and the environment, and to what extent, will be made after the investigation is complete.</p>	<p>Additional \$50,000</p> <p>(\$150,000 already approved)</p>
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6	<p><u>Site:</u> Garfield Express Property 11600 South Long Beach Boulevard Lynwood, CA 90262</p> <p><u>Regional Board Case No.:</u> R-23001</p> <p><u>Responsible Party (RP):</u> Louis & Alice Ross Family Trust 5709 Jed Smith Road, Hidden Hills, CA 91302</p>	<p><u>LARWQCB:</u> Arman Toumari (213) 576-6708 Yi Lu (213) 576-6695</p> <p><u>Local Agency:</u> Los Angeles County DPW John Awujo (626) 458-3507 Tim Smith (626) 458-3511</p> <p><u>Nominating Agency:</u> City of Lynwood Sarah Magana Withers (310) 603-0220</p>	Petroleum hydrocarbons	The RP is recalcitrant. Despite spending most of the available State UST funds, the RP has not made substantial progress toward remediation of free product gasoline or chlorinated solvents in soil and groundwater.	Determine the lateral and vertical extent of soil and groundwater contamination. Soil and groundwater samples should be analyzed for petroleum hydrocarbons and volatile organic compounds (VOCs) during drilling and completion activities. Soil and groundwater should be remediated as expeditiously as possible to remove the continuing source of petroleum hydrocarbons and chlorinated VOCs. A determination of whether remedial actions will be necessary to protect human health/safety and the environment, and to what extent, will be made after the investigation is complete.	\$0 Additional (\$1,500,000 already approved, maximum amount)
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**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION**

**April 10, 2014
574th Regular Meeting**

- ITEM:** 8
- SUBJECT:** Consideration of a tentative Resolution adopting the Petroleum Underground Storage Tank (UST) Emergency, Abandoned, and Recalcitrant (EAR) Account Fiscal year 2014-2015 Annual Priority Site List for the Los Angeles Region
- PURPOSE:** For the Los Angeles Regional Board to recommend priority UST sites for EAR funding, which would be used to initiate corrective action at these sites.
- BACKGROUND:** Chapter 6.75 of the California Health and Safety Code authorizes the State Board to provide funding to Regional Water Boards and local agencies to initiate corrective action at petroleum UST sites that have had an unauthorized release and that require either: (a) an immediate or prompt action response to protect human health, safety, and the environment (emergency site); (b) action at a site where a responsible party (RP) cannot be identified or located (abandoned site); or (c) action at a site where an RP is either unable or unwilling to take the required corrective action (recalcitrant site).
- Provided there are sufficient funds in the EAR Account, the State Board surveys the Regional Water Boards and local agencies annually to obtain a list of nominated and eligible abandoned and recalcitrant UST sites where corrective action funding is necessary. The State Board thereafter develops an EAR Annual Site List to identify sites eligible for EAR Account funding statewide.
- Like last year, all of the proposed UST sites on the priority list are along the I-710 transit corridor. The I-710 Corridor Initiative is a multi-agency effort aimed at accelerating Leaking UST (LUST) cleanups and improving UST compliance along the I-710 transit corridor. The project is funded by the State Board in partnership with the U.S. Environmental Protection Agency, Region 9 (USEPA). The I-710 Corridor Initiative process identified and prioritized Los Angeles Regional Board UST cases for funding for the EAR Account.
- For the Fiscal Year 2014-2015 Annual Priority Site List, staff proposes adding two (2) new sites to the priority list and renominating four (4) sites that are on the current FY priority

list. If funding is provided, the State Board may collect the cost expenditures for the site assessment and cleanup from the RPs and/or property owners, including recording a lien on the property.

SITE SUMMARIES:

The nominated EAR sites have been impacted by petroleum hydrocarbon releases to the soil from leaking USTs, which either threaten to degrade or have already degraded the underlying groundwater. The RPs are recalcitrant. If provided, EAR Account funds will be used to update assessments, determine the degree of contamination, and increase RP involvement in the cleanup process. Listed below are the UST sites that staff recommend for inclusion on the Fiscal Year 2014-2015 Annual Priority Site List:

1. Kim's ARCO AM/PM Mini Mart (New Nomination)
2. Former M & M Texaco Service Station (New Nomination)
3. Former Old Five, Inc. (Renewal)
4. Former Mobil Service Station (Renewal)
5. Juarez Carwash (Renewal)
6. Garfield Express Property (Renewal)

These sites are more fully described in Exhibits 3 through 8.

PUBLIC COMMENTS

The tentative Resolution was released for a public review with a comment period deadline that ended March 14, 2014. However, no comments were received.

OPTIONS:

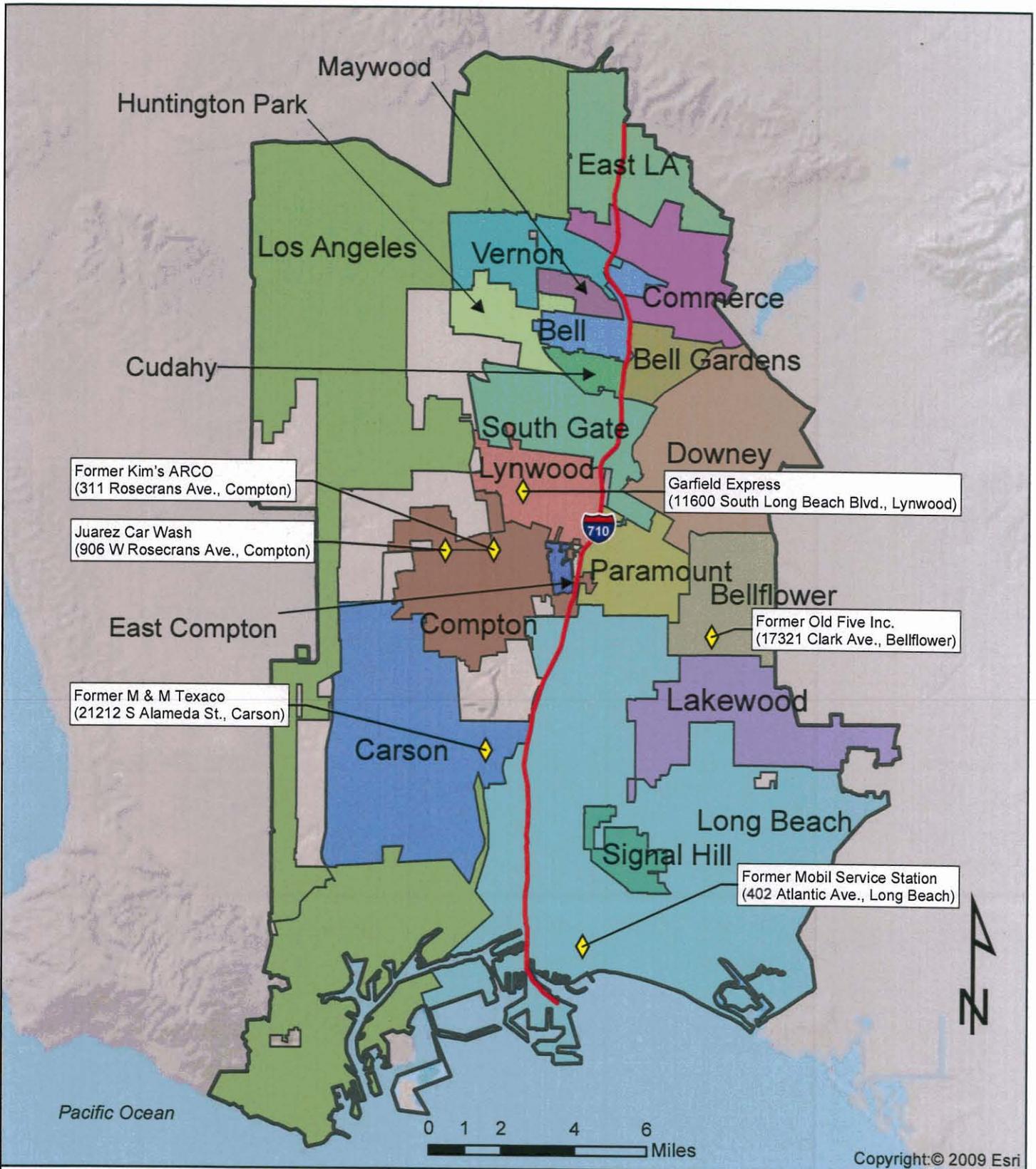
The Los Angeles Regional Board can adopt the Resolution as proposed by staff, not adopt the Resolution, or modify the Resolution and/or sites being proposed for inclusion on the FY 2014-2015 Annual priority Site List for EAR funding.

RECOMMENDATION:

Staff recommends that the Los Angeles Regional Board adopt Resolution No. R14-006 as proposed. The six (6) nominated EAR sites are in need of significant investigation and/or cleanup because the RPs are recalcitrant. Therefore, funding is needed so that the Regional Board can proceed with corrective action measures.

ATTACHMENTS:

- a) I – 710 Corridor Initiative Index Map (Figure 1).



 Sites Nominated for California's Emergency, Abandoned, & Recalcitrant (EAR) Account (2014-2015)
 Focus Area

Note: The color varies to differentiate between each municipality. Uncolored sections within the focus area are unincorporated areas of Los Angeles County.

Figure 1
I-710 Corridor Initiative
March 2014

Underground Storage Tank
 Program Focus Area