

California Regional Water Quality Control Board
Santa Ana Region

RESOLUTION NO. R8-2008-0020

Resolution Requesting Cleanup and Abatement Account Funds for Conducting a
Regional Groundwater Study Related to Perchlorate and Volatile Organic
Compound Contamination of Groundwater in the Rialto Area

WHEREAS:

1. Sections 13440 through 13443 of the California Water Code established the State Water Pollution Cleanup and Abatement Account (Account) to be administered by the State Water Resources Control Board (State Board).
2. Grants to public agencies and regional boards are available from the Account. The State Board may order monies to be paid from the Account to assist a public agency or regional board to assist it in cleaning up waste or abating its effects on waters of the State.
3. The Rialto Groundwater Management Zone is beneficially used for municipal and domestic supply. A significant water quality problem that poses a potential threat to public health currently exists in the Rialto Groundwater Management Zone due to pollution from perchlorate and volatile organic compounds ("perchlorate/VOC pollution"). A significant source of this pollution is an area generally referred to as the 160-acre site, located in the City of Rialto.
4. The Executive Officer has issued Draft Amended Cleanup and Abatement Order No. R8-2005-0053. That order would require that parties subject to the order conduct various investigation and cleanup work to address the perchlorate/VOC pollution from the 160-acre site.
5. A hearing on Draft Amended Cleanup and Abatement Order No. R8-2005-0053 was scheduled for August 2007, but a stay of that hearing was issued by the Los Angeles County Superior Court and continues in effect pending further proceedings. As a result, work that would be required by the order is not being conducted by any parties. The perchlorate/VOC pollution of groundwater from the 160-acre site continues to migrate since no remedial measures to address that pollution are currently in place.
6. The City of Rialto and the West Valley Water District submitted a request, dated February 6, 2008, for \$3 million of funding from the Account. The work proposed in this request is related to the perchlorate/VOC pollution from the 160-acre site and is necessary to develop a remedial action plan for this perchlorate/VOC pollution.

7. On April 4, 2003, the Board adopted Resolution No. R8-2003-0052 directing the Executive Officer to submit a request for \$2 million from the Account to support wellhead treatment projects to address perchlorate and volatile organic compounds in the Rialto/Colton/Fontana area. The Executive Officer submitted such a request on April 9, 2003. The State Board Division of Financial Assistance rejected the request in July 2003, due to lack of funds.
8. The work proposed by the City of Rialto and the West Valley Water District will help to expedite the cleanup of a serious perchlorate/VOC plume in groundwater that continues to migrate. It is therefore appropriate for the State Board to consider this funding request as soon as possible.
9. The City of Rialto and the West Valley Water District have agreed that the funds should be provided to the Regional Board in order to assure that the work performed with these funds is coordinated with, and is consistent with, other tasks that may be implemented by others in the area.

THEREFORE, BE IT RESOLVED THAT:

1. The City of Rialto and the West Valley Water District are requested to submit a detailed scope of work. The details of this work shall be subject to the approval of the Executive Officer.
2. The Executive Officer is directed to submit a Request for Cleanup and Abatement Funds to the State Board for a total of \$3 million. This request shall supersede the City of Rialto and the West Valley Water District request to the State Board. The funds shall be requested to be provided to the Regional Board to support the approved scope of work submitted by the City of Rialto and the West Valley Water District or may be applied toward other investigation or cleanup activities in connection with perchlorate/VOC pollution in the groundwater in the Rialto area.
3. The Regional Board requests that the State Board consider this request at the earliest available opportunity.
4. The Executive Officer is directed to transmit a copy of this Resolution to the State Board.

I, Gerard J. Thibeault, 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, Santa Ana Region, on February 29, 2008.



Gerard J. Thibeault
Executive Officer