

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
COLORADO RIVER BASIN REGION

CLEANUP AND ABATEMENT ORDER NO. 87-090 (REVISION NO. 1)

AGAINST

AL WILLIAMS

Ocotillo Wells, San Diego County

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

1. Al Williams, (hereinafter referred to as the discharger), 6001 Highway 78, Ocotillo Wells, California 92004, is the owner of the property, and owner of the business, Burro Bend Service Station and Cafe, both of which are located at the above described location.
2. A telephone report from the County of San Diego Department of Health Services was received in this office on August 27, 1986, notifying the Regional Board staff that they had received a complaint concerning gasoline contamination of a domestic water supply well. The well is located at 5997 Highway 78, Borrego Springs, California, 92004, approximately 100-150 feet west of the Burro Bend Service Station.
3. The discharger had the underground storage tank systems at the service station tested on October 22, 1986. The petrotite test results indicated a failure in the two super unleaded tank systems.
4. A written report of an unauthorized release of hazardous materials was prepared by the County of San Diego Department of Health Services on October 23, 1986, and was submitted to the Regional Board office.
5. An undated Underground Storage Tank Unauthorized Release Report, signed by the discharger and forwarded to this office by the County of San Diego Department of Health Services on July 23, 1987, indicates that an unknown quantity of gasoline had leaked from the Burro Bend underground storage tanks.
6. The County of San Diego Department of Health Services discovered that the discharger had repiped the underground storage tank system without a permit.
7. On July 15, 1987, the County of San Diego Department of Health Services ordered the discharger to perform an initial site assessment, and to submit the results thereof to their office by August 20, 1987.
8. As of the date of the original Cleanup and Abatement Order (August 28, 1987), the discharger had failed to submit the required report to the County of San Diego Department of Health Services.
9. On August 11, 1987, Regional Board staff inspected the Burro Bend site, and collected samples from the water supply well. State Department of Health Services laboratory analyses of the samples indicate concentrations of benzene, above State Action Levels.

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10. On August 14, 1987, Regional Board staff sampled water supply wells in the vicinity of Burro Bend. State Department of Health Services laboratory results indicate concentrations of benzene, above State Action Levels, present in a water supply well at the T.N. Drake residence, 5353 Split Mountain Road, Borrego Springs, California, 92004, approximately 300 feet south of Burro Bend.
11. Regional Board staff investigators received reports from local residents on August 14, 1987, that at least one of the underground storage tanks at Burro Bend had been replaced, by the discharger, during the summer of 1986. However, the County of San Diego Department of Health Services, the permitting agency, has no record of a permit for the tank replacement.
12. 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 by 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."
13. The discharger has caused, or permitted, the discharge of waste into the waters of the State, and created a condition of pollution.
14. The Water Quality Control Plan for the Colorado River Basin Region of California designates the beneficial uses of ground and surface waters in this Region.
15. The beneficial uses of ground waters in the Anza-Borrego Hydrologic Unit are:
  - a. Municipal supply (MUN)
  - b. Industrial supply (IND)
  - c. Agricultural supply (AGR)
16. Contamination of the ground water with gasoline will significantly impair the beneficial uses of the ground water.
17. This Enforcement Action is exempt from the California Environmental Quality Act pursuant to Section 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. Submit to the Regional Board office, by June 1, 1990 a technical report containing the results of a complete subsurface investigation of the contamination. The report must contain, as a minimum, the following:
  - a. A delineation and evaluation of the lateral and vertical extent of the contamination.

- b. The hydrogeologic characterization of the soil and unconsolidated materials underlying and adjacent to the site.

The technical report must be prepared by a qualified professional who is registered as a civil engineer, or certified as an engineering geologist, in the State of California.

2. Submit a cleanup proposal to the Regional Board, within two weeks of submittal of the complete report of the subsurface investigation, for the extraction of contaminated ground water and mitigation of any existing contaminated soil.
3. Twice yearly the results of laboratory analyses for benzene, toluene, ethylbenzene, and xylene(s) performed on ground water samples collected from private supply wells located in the immediate vicinity of the contaminant plume must be submitted to the Regional Board. The analyses must be performed by a Department of Health Services certified laboratory, and the first report must be submitted to this office by June 1, 1990. Prior to conducting the sampling event, a sampling plan must be approved by Regional Board staff.
4. Cleanup and abate the effects of the discharge of gasoline from the underground storage tanks at 6001 Highway 78, Ocotillo Wells, California.

ORDERED BY:

Phil Gruenberg  
Executive Officer

4-2-90

Date

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

**CLEANUP AND ABATEMENT ORDER NO. 87-90**

**AGAINST**

**AL WILLIAMS**

**Borrego Springs, San Diego County**

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

1. Al Williams, (hereinafter referred to as the discharger), 6001 Highway 78, Borrego Springs, California 92004, is the owner of the property, and owner of the business, Burro Bend Mobil, both of which are located at the above described location.
2. A telephone report from the County of San Diego Department of Health Services was received in this office on August 27, 1986, notifying the Regional Board staff that they had received a complaint concerning gasoline contamination of a domestic water supply well. The well is located at 5997 Highway 78, Borrego Springs, California, 92004, approximately 100-150 feet west of the Burro Bend Mobil Station.
3. The discharger had the underground storage tank systems at the service station tested on October 22, 1986. The petrotite test results indicated a failure in the two super unleaded tank systems.
4. A written report of an unauthorized release of hazardous materials was prepared by the County of San Diego Department of Health Services on October 23, 1986, and was submitted to the Regional Board office.
5. An undated Underground Storage Tank Unauthorized Release Report, signed by the discharger and forwarded to this office by the County of San Diego Department of Health Services on July 23, 1987, indicates that an unknown quantity of gasoline had leaked from the Burro Bend Mobil storage tanks.
6. The County of San Diego Department of Health Services discovered that the discharger had repiped the underground storage tank system without a permit.
7. On July 15, 1987, the County of San Diego Department of Health Services ordered the discharger to perform an initial site assessment, and to submit the results thereof to their office by August 20, 1987.
8. As of the date of this Order, the discharger has failed to submit the required report to the County of San Diego Department of Health Services.
9. On August 11, 1987, Regional Board staff inspected the Burro Bend Mobil site, and collected samples from the water supply well. State Department

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of Health Services laboratory analyses of the samples indicate concentrations of benzene, above State action levels.

10. On August 14, 1987, Regional Board staff sampled water supply wells in the vicinity of Burro Bend Mobil. State Department of Health Services laboratory results indicate concentrations of benzene, above State action levels, present in a water supply well at the T.N. Drake residence, 5353 Split Mountain Road, Borrego Springs, California, 92004, approximately 300 feet south of Burro Bend Mobil.
11. Regional Board staff investigators received reports from local residents on August 14, 1987, that at least one of the underground storage tanks at Burro Bend Mobil had been replaced, by the discharger, during the summer of 1986. However, the County of San Diego Department of Health Services, the permitting agency, has no record of a permit for the tank replacement.
12. 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 by 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."
13. The discharger has caused, or permitted, the discharge of waste into the waters of the State, and created a condition of pollution.
14. The Water Quality Control Plan for the Colorado River Basin Region identifies the beneficial uses of the ground waters in the Anza Borrego Hydrologic Unit as:
  - a. Municipal
  - b. Industrial
  - c. Agricultural
15. Contamination of the ground water with gasoline will significantly impair the beneficial uses of the ground water.
16. This Enforcement Action is exempt from the California Environment Quality Act pursuant to Section 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. Submit to the Regional Board office, by October 15, 1987, a technical report containing the results of a complete subsurface investigation of the contamination. The report must contain, as a minimum, the following:
  - a. A delineation and evaluation of the lateral and vertical extent of the contamination.

- b. The hydrogeologic characterization of the soil and unconsolidated materials underlying and adjacent to the site.

The technical report must be prepared by a qualified professional who is registered as a Civil Engineer, or certified as an Engineering Geologist, in the State of California.

2. Within two weeks of receipt of this Order, submit to the Regional Board office, the name and address of the qualified professional retained to perform the required investigation.
3. Submit a cleanup proposal to the Regional Board, within two weeks of submittal of the complete report of the subsurface investigation, for recovery of the free product in the ground water, and extraction of the contaminated ground water.
4. Cleanup and abate the effects of the discharge of gasoline from the underground storage tanks at 6001 Highway 78, Borrego Springs, California.

ORDERED BY:

*Arthur Sevajian*  
Executive Officer

*August 28, 1987*  
Date