



California Regional Water Quality Control Board

Central Coast Region



Terry Tamminen
Secretary for
Environmental
Protection

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Arnold Schwarzenegger
Governor

December 9, 2003

Mr. Bruce Burke
Bardex Corporation
6338 Lindmar Drive
Goleta, CA 93117

Dear Mr. Burke:

SLIC: 6338 LINDMAR DRIVE, GOLETA (BARDEX CORPORATION) – NOTICE OF VIOLATION AND REQUEST TO PERFORM GROUNDWATER QUALITY MONITORING IN DECEMBER 2003

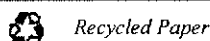
Thank you for your November 21 and 25, 2003 letters, each requesting that the new monitoring well scheduled to be drilled in January 2004 be sampled at the same time as the existing groundwater monitoring wells. As noted in our November 19, 2003, letter to you, we concurred that all wells could be sampled at the same time and this information included in the semi-annual groundwater monitoring report due on or before May 20, 2004.

However, as discussed during the December 4, 2003 teleconference with Regional Board staff, Monitoring and Reporting Program No. R3-2003-0088 requires you to collect and analyze groundwater samples from existing groundwater monitoring wells at the subject facility in March and October of each calendar year. In addition, the monitoring program requires you to submit a technical report documenting the results by the 30th day of January and May, respectively, for the March and October sampling events. During the teleconference, you indicated that you did not collect groundwater samples in October 2003. Consequently, we consider this a violation of Monitoring and Reporting Program No. R3-2003-0088.

As you indicated during the teleconference, you indicated that neither you nor your consultant were aware of the specific sampling timeline requirement, but thought that sampling any time during the specified calendar quarter was appropriate. Consequently, Regional Board staff will not proceed with administrative civil liabilities if the groundwater quality monitoring is performed in December 2003 and the results submitted in a groundwater monitoring report submitted **on or before January 30, 2004.**

These requests are made pursuant to the provisions of Section 13267 of the California Water Code. Pursuant to Section 13268 of the Water Code, a violation of a request made pursuant to Water Code Section 13267 may subject you to civil liability of up to \$1,000 per day.

California Environmental Protection Agency



Item No. 21 Attachment No. 1
May 14, 2004 Meeting
ACL for Bardex Corporation

The water quality information from the groundwater monitoring wells requested by Regional Board staff are needed to evaluate the extent of contaminants in groundwater beneath and potentially migrating from the Bardex Corporation facility. You are required to submit these reports because soil and groundwater contamination has been detected at this facility. More detailed information is available in the Regional Board's public file on this matter.

Any person affected by this action of the Regional Board may petition the State Water Resources Control Board (State Board) to review the action in accordance with section 13320 of the California Water Code and Title 23, California code of Regulations, Section 2050. The petition must be received by the State Board within 30 days of the date of this order. Copies of the law and regulations applicable to filing petitions will be provided upon request. If you have questions, please call Sheila Soderberg at (805) 549-3592 or Michael LeBrun at (805) 542-4645.

Sincerely,



For: Roger W. Briggs
Executive Officer

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cc:

Ms. Kate Sulka
Santa Barbara County
Fire Protection Division
195 W. Highway 246 #102
Buellton, CA 93427

Mr. Fred Clark
The Source Group, Inc.
501 Marin Street, Suite 112B
Thousand Oaks, CA 91360

