

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
COLORADO RIVER BASIN REGION

CLEANUP AND ABATEMENT ORDER NO. 89-042  
AGAINST  
DESERT AGRICULTURAL CHEMICAL, INC.  
Calipatria - Imperial County

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

1. Desert Agricultural Chemical, Inc. (hereinafter referred to as the discharger), P. O. Box 2887, El Centro, CA 92244, distributes fertilizers from 290 E. Young Road, Calipatria, CA.
2. The discharger has been at the above location for approximately eight years.
3. During an inspection on January 24, 1989 two different areas containing soils affected by fertilizers were identified at the discharger's facility. For descriptive purposes these areas are hereinafter referred to as Areas 1 and 2. Also, the soil in an area below several large above ground diesel storage tanks was identified as having been affected by petroleum hydrocarbons.
4. This Order is intended to address the two different areas affected by fertilizers.
5. Area 1 is basically a fertilizer equipment rinse water area that consists of a 30 foot by 30 foot concrete washpad designed so that liquids flow into a small concrete surface impoundment.
6. During the inspection it was observed that the fertilizer rinse waters stored in the small concrete surface impoundment had in the past periodically overflowed, as the soil in adjacent areas contained fertilizer residues.
7. According to discharger staff, the rinse water generated at Area 1 contains residues of the following substances: phosphate (10-34-0), urea (Un 32), ammonium nitrate (An 20), calcium (Can 17) and ammonium sulfate (20-0-0-5).
8. Area 2 basically consists of several large above-ground storage tanks containing liquid fertilizers that have leaked, as the soils in the area below the tanks contain fertilizer residues.
9. According to discharger staff the above-ground tanks at Area 2 are used for storing ammonium, urea, and phosphate.

*Revised  
1/24/93*

10. Section 13304, Division 7 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 of 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."

11. The discharger threatens to create a condition of pollution in the waters of the state.
12. The Water Quality Control Plan for the Colorado River Basin Region identifies the beneficial uses of ground water in the Imperial Hydrologic Subunit as:
  - a. Municipal supply
  - b. Industrial supply

However, shallow ground water at the discharge location is generally saline as samples obtained from monitoring wells from a nearby facility show a total dissolved solids concentration of approximately 20,000 ppm.

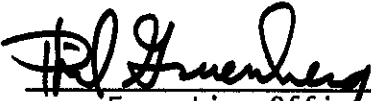
13. This enforcement action is exempt from the California Environmental Quality Act, pursuant to Section 15321, Chapter 3, Title 14 of the California Code of Regulations.
14. Calipatria Farm Enterprise, P. O. Box 1086, Calipatria, CA 92233, is the owner of the property where the discharger's facility is located. Although Calipatria Farm Enterprise has not directly caused the discharge or threat of discharge of fertilizer waste on the property, it should have known of the existence of the discharge or threat of discharge.
15. Considering the above finding, Calipatria Farm Enterprise is responsible for the compliance with this order if the discharger fails to timely comply with this order.

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. Immediately discontinue the discharge of fertilizer rinse water onto the ground surface in the location identified as Area 1 above.
2. Immediately take necessary measures to prevent the leakage of fertilizers from the above-ground tank onto the ground surface in the location identified as Area 2 above.

3. By May 15, 1989 submit plans for approval by the Executive Officer for the proper disposal of the soils affected by fertilizers.
4. By June 1, 1989 remove the observable soils containing fertilizers from the locations identified as Area 1 and Area 2 above.
5. By June 15, 1989 submit a written report that includes the quantity of soils containing fertilizers removed.

THE DISCHARGER IS HEREBY INFORMED that this Order does not authorize violation of any federal, state or local laws or regulations, or to trespass upon private property without permission of the property owner

  
\_\_\_\_\_  
Executive Officer  
  
4-17-89  
\_\_\_\_\_  
Date