

PETITION FOR REVIEW PURSUANT TO CALIFORNIA WATER CODE SECTION § 13320

BEFORE THE STATE WATER RESOURCES CONTROL BOARD

I. PETITIONER INFORMATION

Field	Response
Petitioner Name:	Jesse Knabb
Address:	15161 Van Buren St, Unit 206, Midway City, CA 92655
Phone:	(657) 382-9627
Email:	jesseknabb@gmail.com

II. REGIONAL BOARD ACTION OR FAILURE TO ACT BEING CHALLENGED

Field	Response
Regional Board:	California Regional Water Quality Control Board, Santa Ana Region (Region 8)
Date of Action/Failure to Act:	November 13, 2025 (Date of Refusal/Denial of Status Inquiry and Demand for Action)
Specific Action/Inaction:	Failure to qualify the previously filed Water Quality Petition and Formal Compliance Complaint (Filed 08/13/2025 and

	11/13/2025). The Regional Board failed to perform mandatory, non-discretionary duties under the California Water Code (Div. 7) to enforce compliance, assume jurisdiction over a complex hazardous waste site, and abate continuous pollution.
Subject Facility:	Huntington Beach Navigation Center (HBNC)
Address:	17631 Cameron Lane (APN 167-472-08) and 17642 Beach Boulevard (APN 167-472-09)
OCHCA Case:	Orange County Health Care Agency (OCHCA) Industrial Cleanup Case No. 20IC002

III. STATEMENT OF HOW PETITIONER IS AGGRIEVED (WATER CODE § 13320)

The Petitioner, Jesse Knabb, is a person *aggrieved* by the Regional Board's failure to act and its subsequent refusal to qualify the Petition. This refusal has allowed a continuous Imminent and Substantial Endangerment (ISE) from hazardous waste to persist, directly resulting in severe and permanent personal injury to the Petitioner:

1. **Direct Toxic Exposure and Injury:** The Petitioner was a permanent resident at the Huntington Beach Navigation Center from **November 2022 through October 2024**. During this residency, the Petitioner was exposed to the concealed hazardous waste plume at the site, which contains documented levels of **Hexavalent Chromium** (49x safety limit), **Lead**, **Arsenic**, and **Pesticides** (Toxaphene, DDE).
2. **Documented Permanent Illnesses:** The Petitioner is disabled and suffers from **permanent injuries resulting from this toxic exposure**, including but not limited to: **pleural effusion, pneumonitis, renal impairment, sepsis, leukocytosis, anemia, pneumonia, empyema, and subsequent thoracentesis** (surgical procedure).
3. **Causal Link to Regulatory Failure:** The Regional Board's failure to qualify the Petition and immediately compel remediation (full excavation) or site closure allows the City and its operator (Mercy House) to continue: (a) operating the site based on a fraudulently obtained "Case Closed" certificate, and (b) engaging in the **active destruction** of the only containment barrier (the substandard asphalt cap) through daily high-pressure washing, which continuously mobilizes aerosolized heavy metals and wastewater runoff. This failure to act constitutes a knowing disregard for the Petitioner's right to safe housing and has inflicted and continues to perpetuate severe personal harm.

IV. SPECIFIC REGIONAL BOARD ACTIONS/FAILURES REQUIRING REVIEW

The State Water Resources Control Board (SWRCB) must review the Santa Ana Regional Board's (RWQCB) failure to perform its mandatory duties, as this failure directly enabled the continued exposure that caused the Petitioner's injuries.

The RWQCB failed to act on the following clear, statutory violations detailed in the original Petition:

Violation	Legal Basis	RWQCB Mandatory Duty Violated
1. Failure to Enforce CWA § 1311 (Continuous Operational Violation)	The HBNC facility is operating its permanent drainage system on contaminated land with an EXPIRED CIWQS Stormwater Permit (NPDES Order No. R8-2009-0030, expired 08/20/2020).	The RWQCB failed its non-discretionary duty to enforce the CWA by refusing to act on notice of the continuous operation of an unpermitted discharge on a known hazardous waste site.
2. Illegal Retention of Jurisdiction (<i>Ultra Vires</i> Act)	The OCHCA committed an <i>Ultra Vires</i> act by issuing a "Case Closed" certificate (08/21/2020) for contamination involving Hexavalent Chromium and Lead .	The RWQCB failed its mandatory duty to compel Referral to the DTSC/RWQCB Site Cleanup Program for Tier 3 hazardous waste remediation expertise, thereby honoring OCHCA's illegal closure that was motivated by the City's \$6.1 Million LMIHAF financial deadline .
3. Failure to Abate Illegal Hazardous Waste Disposal	The site operator engages in the daily destruction of the containment cap via high-pressure washing,	The RWQCB failed its duty to enforce the prohibition against the unpermitted disposal of hazardous

	causing the illegal disposal and mobilization of Hexavalent Chromium and Lead into the air and runoff.	waste and to prevent pollution runoff into state waters, actively choosing to ignore an ongoing, visible violation of environmental law.
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V. STATEMENT OF LEGAL GROUNDS

The Petitioner submits that the following specific provisions of law provide the grounds for review:

1. **California Water Code § 3320** (Review by state board of regional board action or failure to act).
2. **California Water Code § 13304** (Mandatory imposition of waste discharge requirements and cleanup/abatement orders for discharges creating a condition of pollution or nuisance).
3. **California Code of Regulations, Title 22, § 68400.11(g)** (Mandatory referral duty for Certified Unified Program Agencies (CUPAs) for corrective action beyond their expertise, which OCHCA illegally avoided).

The RWQCB's refusal to qualify the Petition is a failure to perform mandatory duties, enabling a violation of public trust and the perpetuation of the hazardous conditions that inflicted permanent, documented injuries upon the Petitioner.

VI. SUBSTANTIVE ISSUES OR OBJECTIONS RAISED BEFORE THE REGIONAL BOARD

The substantive issues detailed herein (including the CWA violation, the illegal closure, the specific contaminants, and the need for immediate medical monitoring and site remediation) **were explicitly raised** in the Formal Compliance Complaint and subsequent status inquiry emails filed on August 13, 2025, and November 13, 2025, to the SWRCB/RWQCB Chief Counsel and Assistant Chief Counsel.

VII. SERVICE

A copy of this Petition has been served upon the Regional Water Quality Control Board, Santa Ana Region.

PRAYER FOR RELIEF

The Petitioner demands the State Water Resources Control Board enter an Order:

1. **Vacating and Declaring Void** the August 21, 2020, OCHCA Case Closed certificate (IC Case No. 20IC002) as an **Ultra Vires** act of illegal jurisdiction.

2. **Mandating Immediate RWQCB Jurisdiction** over the HBNC site and requiring immediate referral to the DTSC/RWQCB Site Cleanup Program, compelling a full, independent forensic excavation and remediation to the City Hall cleanup standard.
3. **Issuing a Cleanup and Abatement Order** against the City of Huntington Beach and Mercy House Living Centers to immediately **cease all high-pressure washing** and **abate the illegal disposal** of hazardous waste.
4. **Imposing Maximum Civil Penalties** for the continuous and documented operational violations of the Clean Water Act (§ 1311).

I certify under penalty of perjury that the foregoing is true and correct.

Executed this 15th day of November, 2025.

/s/ Jesse Knabb

Jesse Knabb, Petitioner