

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION

CLEANUP AND ABATEMENT ORDER NO. 91-059
AGAINST
FOSTER-GARDNER, INC.
Coachella - Riverside County

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

1. Foster-Gardner, Inc. (hereinafter referred to as discharger) is the owner and operator of the business and property located at 1577 First Street, Coachella, California, 92236.
2. The discharger's facility covers about three acres and has served as a distributor of fertilizer and pesticides for over 30 years, blending and storing agricultural chemicals on site.
3. The discharger's facility has an equipment cleaning area and a washpad for vehicle and other equipment cleaning. The washwater from the cleaning operations flows onto the adjacent ground where it is disposed by percolation and evaporation.
4. By letter dated May 10, 1991 the Regional Board office requested that the discharger test the ground water at the facility for the halogenated hydrocarbon group and to submit the results in a technical report. This was prompted by the discovery of this group of chemicals in ground water wells downgradient of the facility and the discovery of high levels of pesticides in the soil at the facility.
5. The results of the ground water testing at the discharger's facility indicated high levels, exceeding drinking water standards, of 1,2-dichloroethane, 1,2-dichloropropane, and 1,3-dichloropropane, among other constituents of the halogenated hydrocarbon group, which were also detected in the ground water wells downgradient of the facility.
6. The discharger has caused or permitted the discharge of waste or wastewater into waters of the state and created a condition of pollution.
7. The Water Quality Control Plan for the Colorado River Basin Region of California was adopted May 15, 1991 and designates the beneficial uses of ground and surface waters in this Region.
8. The Basin Plan delineates the location of the discharge to be in the Coachella Hydrologic Subunit.

9. The beneficial uses of ground waters in the Coachella Hydrologic Subunit are:
 - a. Municipal supply (MUN)
 - b. Industrial supply (IND)
 - c. Agricultural supply (AGR)

10. Pollution of the ground water with the contaminants listed in Finding No. 5 above would significantly impair the beneficial uses of the affected ground water.

11. 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 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."

12. This enforcement action is exempt from the California Environmental Quality Act pursuant to Section 15308 and 15321, Chapter 3, Title 14 of the California Code of Regulations.

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. Cleanup and abate the effects of the discharge of contaminants in the ground water including those described in Finding No. 5 above;
2. By December 1, 1991 submit to the Regional Board a workplan for the investigation of the facility. The investigation shall be designed to (a) determine the presence, concentration, and vertical and lateral extent of contaminants in the soil and ground water beneath and in the vicinity of the facility. (b) determine the geologic and hydrologic characteristics of the subsurface.
3. By December 15, 1991, following review and approval by the Regional Board's Executive Officer, implement the workplan for the proposed investigation.
4. By March 15, 1992, submit a technical report to the Regional Board describing the results of the investigation. In addition the report shall contain a detailed cleanup proposal for the ground water.
5. By May 15, 1992, following review and approval by the Regional Board's Executive Officer, implement the proposed cleanup plan.

ORDERED BY: Philip A. Gruenberg
 PHILIP A. GRUENBERG
 Executive Officer

10-22-91
 (Date)