

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION

CLEANUP AND ABATEMENT ORDER NO. 93-049
AGAINST

STOKER COMPANY
PESTICIDE WASTE DISPOSAL FACILITY
Northeast of Imperial - Imperial County

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

1. Stoker Company is located at 3390 Dogwood Road, Imperial, CA 92251. The mailing address is P.O. Box 907, Imperial, CA 92251. The facility is approximately 4 miles from the City of Imperial and 4 miles from the City of Brawley. Stoker Company (hereinafter referred to as discharger) owns and operates the site and facility at this location.
2. The discharger has been engaged in the sales and application of agricultural chemicals at this location since April, 1967. The application equipment, aircraft and vehicles, require washing and rinsing that generates approximately 100 gallons-per-day of wastewater which was discharged on land for treatment until June, 1992.
3. On June 30, 1988 the Regional Board adopted Board Order No. 88-093 for the disposal of the discharger's pesticide wastewater onto a Land Treatment Facility (LTF) which consists of about 15 acres located on-site.
4. The wastewater discharged to the LTF contained non-hazardous levels of pesticides which have percolated into the soil and ground water.
5. The discharger elected to close the LTF and construct a wastewater treatment and recycling facility which was completed and operational by June 1992.
6. A closure plan for the LTF was submitted by the discharger and approved by the Regional Board staff on August 1, 1991. The LTF is presently undergoing closure in accordance with the closure requirements specified in Section 2584, Chapter 15, Title 23 California Code of Regulations which requires that the discharger, "...continue all operations necessary to maximize degradation, transformation, or immobilization of waste constituents within the treatment zone, ...".
7. In addition, Section 2580 of Chapter 15 requires that, "...the post-closure maintenance period shall extend until treatment is complete."
8. Monitoring of the soil and ground water has been conducted as required in Board Order No. 88-093 and has continued through closure. Organochlorine and organophosphorus pesticides, which were distributed by the discharger, have been detected in the soil samples and organochlorine pesticides in six of the nine monitoring wells as reported in the November 1991 and March 1992 monitoring reports submitted by the discharger. Concentrations of the pesticides have decreased steadily as a result of the treatment, which consists of aerating the soil and natural biodegradation.

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9. The pesticides noted in Finding No. 8 above have polluted the ground water.
10. 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 clean up such waste or abate the effects thereof or, in the case of threatened pollution or nuisance, take other necessary remedial action."
11. 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.
12. The beneficial uses of waters in the Imperial Valley Drains are:
 - a. Fresh Water Replenishment of Salton Sea (FRSH)
 - b. Noncontact Water Recreation (REC II)
 - c. Warm Water Habitat (WARM)
 - d. Wildlife Habitat (WILD)
 - e. Preservation of Rare, Endangered or Threatened Species (RARE)
 - f. Water Contact Recreation (REC I)
13. The above-listed beneficial uses could be adversely impacted through overland transport of the contaminated soil or migration of contaminated ground water to adjacent agricultural drains.
14. In accordance with Section 13267 of the California Water Code the Regional Board may require that any person discharging waste within its region, that could affect the quality of waters within its region, shall furnish those technical or monitoring reports as the Regional Board may specify.
15. 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 and 13267 of Division 7 of the California Water Code, the discharger shall comply with the following:

1. Clean up and abate the effects of the discharge of pesticide wastewater in the soil and ground water to levels which are determined to be acceptable.
2. Continue the treatment of the LTF as specified in the approved closure plan, in addition to the annual monitoring of the soil and groundwater and quarterly reporting.

3. All technical reports pursuant to Section 13267 shall be submitted quarterly to the Regional Board office for consideration and shall be prepared by a professional who is registered as a civil engineer or certified as an engineering geologist in the State of California.

ORDERED BY:

Philip A. Gruenberg
Executive Officer

5-25-93

Date