

Lahontan Regional Water Quality Control Board

March 5, 2014

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COMMENTS ON REPORT FOR CLEANUP OF WASTE PIT (WESTERN EXCAVATION SITE), PACIFIC GAS AND ELECTRIC (PG&E), SAN BERNARDINO COUNTY (ASSESSOR PARCEL NO. 0488-074-03), WDID NO. 6B361403001

INVESTIGATIVE ORDER NO. R6V-2014-0019

This letter provides the Water Board comments to PG&E's "Closure Report for Debris Removal and Cleanup Western Excavation Site (Report)" for the above-referenced parcel located west of the PG&E Compressor Station. The Water Board is also requiring technical information and reports be submitted pursuant to Water Code Section 13267.

Background

Water Board staff has reviewed PG&E's December 4, 2013 Report, prepared by Pivox Corporation. The Report describes a waste removal action on an 80-acre property owned by PG&E and located 0.5 miles west of the intersection of Community Boulevard and Hinkley Road. The removal action was undertaken in July 2013 and the excavation was backfilled during August 2013.

The Report states that various types of wastes were removed from a pit that extended to 30 feet below ground surface (bgs). Figure 1 in the Report shows the pit was located near the center of the property, about 1,500 feet south of the Community Boulevard dirt road extension. The types of wastes encountered were primarily household and automotive: appliances, paint cans, oil containers, tires, glass bottles, car parts, steel cable, metal scrap, and wood debris. At 17 feet bgs, hydrocarbon odors were observed coming from debris and soil removed from the pit. A photoionization detector showed concentrations of volatile organic compounds (VOCs) up to 20 ppm.

The Report states approximately 54 tons of waste and soil were removed from the site. This material was transported for disposal to the Waste Management landfill in Palmdale. The results of soil samples collected from the excavation sidewalls and the soil stockpile showed concentrations of Total Petroleum Hydrocarbons (TPH),

Trimethylbenzene (TMB), PCB, and metals, such as arsenic, cadmium, chromium, copper, lead, nickel, vanadium, and zinc. Site restoration involved backfilling the pit with unwashed fill sand from a facility in Barstow, grading, and replacing vegetation that was removed during site preparations.

The Water Board has also reviewed laboratory results of water samples collected from MW-163S/D from December 2012 to July 2013, submitted by PG&E separate from the Report. Monitoring well MW-163 is located about 1,600 feet northeast of the pit. The results show the following constituents detected in groundwater above their respective drinking water standard.

TABLE 1
Groundwater Detections

Constituent	Highest Detection	Standard	No. of Samples Above Standard
Arsenic	11.2 ppb	10 ppb*	1
Hexavalent Chromium	9.8 ppb	3.1 ppb**	4
Total Chromium	10.1 ppb	3.2 ppb**	3
Manganese	320 ppb	50 ppb***	1
Total Dissolved Solids	562 ppm	500 ppm***	1

*Primary drinking water standard

**Water Board adopted maximum background value in Hinkley

***Secondary drinking water standard

In addition to those constituents listed in Table 1, laboratory results show the following constituents but at concentrations less than drinking water standards: chloride, copper, iron, nitrate, and sulfate.

Comments

Information in the report indicates the property has been used for years as an illegal disposal site for inert and non-inert wastes by unknown parties. The source or purpose for the 30-foot pit was not provided. Even though the wastes have since been removed, the Water Board is concerned about their past effects and potential effects upon groundwater quality. Water samples from MW-163 located downgradient of the site show that five constituents have been detected at levels above drinking water standards or adopted background values at least one time in the past. Previous groundwater monitoring reports submitted by PG&E for the site-wide chromium cleanup project have also shown chromium detections above adopted background values in nearby monitoring wells, MW-159 and MW-160, as well as domestic wells located between or close to these monitoring wells. All these locations are on the southwest side of the Lockhart Fault. This information indicates that wastes likely affected groundwater quality.

As the owner of the subject property, PG&E is a responsible party for discharges and potential discharges that could adversely affect groundwater quality. Therefore, the Water Board is requiring that PG&E collect quarterly water samples from various monitoring locations to evaluate the presence and extent of constituents affecting or potentially affecting groundwater quality. Even though the wastes were removed, past impacted groundwater may be migrating towards or already reached MW-163 and other well locations in the downgradient flow direction to the northeast.

Finally, the Water Board does not find that impacts or potential impacts to water quality from the site are associated with historical chromium releases that occurred at the Hinkley Compressor Station. This finding is based upon previous investigations conducted by PG&E showing the groundwater flow on the property with the waste pit originating from the Mojave River and being hydraulically cross gradient to the groundwater flow at the compressor station. Thus the requirements and directives in this Order are made separate from the chromium cleanup project and all technical reports are to be separate from those technical reports and should include the WDID number referenced in the subject line of this Order.

REQUIREMENTS

Pursuant to section 13267 of the California Water Code, PG&E is required to submit technical reports to the Water Board. **Beginning with second quarter 2014 and quarterly (every-three-months) thereafter**, PG&E shall collect water samples from monitoring well MW-163 located on the site and from nearby monitoring wells and domestic wells that are potentially affected from wastes, as shown in the following table.

**TABLE 2
Monitoring Locations**

Well	Type	Location
MW-163S/D	Monitoring well	site
MW-159S/D	Monitoring well	Hinkley Rd
MW-160S/D	Monitoring well	Serra Rd
MW-165S/D	Monitoring well	Hinkley Rd
34-12	Domestic well	Community Blvd
34-13	Domestic well	Serra Rd
34-15	Domestic well	Community Blvd
34-20	Domestic well	Hinkley Rd
34-22	Domestic well	Hinkley Rd
34-24	Domestic well	Between Hinkley Rd & Serra Rd
34-27	Domestic well	Catskill Rd
34-60	Domestic well	Serra Rd
34-65	Domestic well	Hinkley Rd
34-66	Domestic well	Community Blvd
34-73	Domestic well	Hinkley Rd
34-74	Domestic well	Hinkley Rd
34-76	Domestic well	Between Hinkley Rd & Serra Rd

Laboratory analysis of water samples collected from the well locations in Table 2 shall at a minimum include those shown in Table 3.

TABLE 3
Analytical Requirements

Analyte Suite	Laboratory Method	Detection Limit
Title 22 Metals	SW 6010B	various
Inorganics	EPA 300.0	various
Hexavalent Chromium (Cr6)	EPA 218.6	0.06 ppb
Total Chromium (CrT)	SW 6020A	1 ppb
PCB	SW 8082	1 ppb
Total Dissolved Solids	SM 2540C	10 ppm
Total Petroleum Hydrocarbons-gasoline, diesel, oil	EPA 8015	1 ppb
VOCs	EPA 8260B	0.5 ppb

Beginning July 30, 2014 and by 30 days from the end of each quarter, PG&E shall submit a technical report to the Water Board containing at minimum the following items:

1. A full and detailed description of actions taken to comply with this sampling and reporting requirement.
2. Standard operating procedures for groundwater sampling.
3. Groundwater elevation data for each sampling location, if accessible.
4. Laboratory reports, chain of custody forms, and field notes.
5. A table that contains each monitoring location, date of sample collection, water table elevation, constituents analyzed, and laboratory results. The table shall compile results for subsequent monitoring events.
6. Maps showing each sampling location, well label, and laboratory detections for that specific sampling event. Include isoconcentration lines for all constituents detected in monitoring wells above their respective drinking water standard or the chromium background values of 3.1 ppb Cr6/3.2 ppb CrT.
7. Potentiometric map showing groundwater elevation and calculated gradient.
8. Documentation of all instances where access is denied to collect water samples.
9. Stamp and signature of a California licensed geologist or civil engineer.

The length of time for conducting quarterly sampling and reporting shall depend upon impacts and potential impacts to groundwater quality and receptors from the waste pit. Modification to sampling locations, frequency, and analytes can be revisited after six months of results have been collected.

Enforcement

Technical reports required by this Investigative Order are necessary to investigate the water quality in the area, based on Water Board's findings that:

- Wastes were illegally disposed on property owned by PG&E,
- Wastes were found to be in a hole that extended to 30 feet bgs,
- The depth of wastes threatens groundwater quality, determined to be at 85 feet in July 2013 and likely at higher elevations in past wetter years.
- Prior to the time that wastes were removed from the site, water samples from MW-163 contained concentrations of three constituents above drinking water standards and hexavalent and total chromium above adopted background values,
- Water samples from nearby monitoring wells and domestic wells have also contained concentrations of hexavalent and total chromium close to or above background values, and
- Technical reports are required to evaluate impacts and potential impacts to the drinking water aquifer and domestic wells.

The need for these technical reports outweigh the burden on PG&E to produce water quality information related to waste disposal and removal action on PG&E property.

Pursuant to section 13268 of the Water Code, a violation of Water Code Section 13267 requirement may subject you to civil liability of up to \$1,000 per day for each day in which the violation occurs.

If you should have any questions about the required information, please contact me at (530) 542-5436 or Lauri.Kemper@waterboards.ca.gov or Lisa Dembach at (530) 542-5424 or ldembach@waterboards.ca.gov.



LAURI KEMPER, P.E.
ASSISTANT EXECUTIVE OFFICER

Enclosure: 13267 Notice

cc: PG&E Hinkley Lyris List (and web posting)
PG&E Technical Mail List
Kevin Sullivan, PG&E
Tom Wilson, PG&E

**Fact Sheet – Requirements for Submitting Technical Reports
Under Section 13267 of the California Water Code**

October 8, 2008

What does It mean when the regional water board requires a technical report?

Section 13267¹ of the California Water Code provides that "...the regional board may require that any person who has discharged, discharges, or who is suspected of having discharged...waste that could affect the quality of waters...shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires".

This requirement for a technical report seems to mean that I am guilty of something, or at least responsible for cleaning something up. What if that is not so?

Providing the required information in a technical report is not an admission of guilt or responsibility. However, the information provided can be used by the regional water board to clarify whether a given party has responsibility.

Are there limits to what the regional water board can ask for?

Yes. The information required must relate to an actual or suspected discharge of waste, and the burden of compliance must bear a reasonable relationship to the need for the report and the benefits obtained. The regional water board is required to explain the reasons for its request.

What if I can provide the information, but not by the date specified?

A time extension can be given for good cause. Your request should be submitted in writing, giving reasons. A request for a time extension should be made as soon as it is apparent that additional time will be needed and preferably before the due date for the information.

Are there penalties if I don't comply?

Depending on the situation, the regional water board can impose a fine of up to \$1,000 per day, and a court can impose fines of up to \$25,000 per day as well as criminal penalties. A person who submits false information is guilty of a misdemeanor and may be fined as well.

What if I disagree with the 13267 requirement and the regional water board staff will not change the requirement and/or date to comply?

Any person aggrieved by this action of the Regional Water Board may petition the State Water Board to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of the Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at:

http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

Claim of Copyright or other Protection

Any and all reports and other documents submitted to the Regional Board pursuant to this request will need to be copied for some or all of the following reasons: 1) normal internal use of the document, including staff copies, record copies, copies for Board members and agenda packets, 2) any further proceedings of the Regional Board and the State Water Resources Control Board, 3) any court proceeding that may involve the document, and 4) any copies requested by members of the public pursuant to the Public Records Act or other legal proceeding.

If the discharger or its contractor claims any copyright or other protection, the submittal must include a notice, and the notice will accompany all documents copied for the reasons stated above. If copyright protection for a submitted document is claimed, failure to expressly grant permission for the copying stated above will render the document unusable for the Regional Board's purposes, and will result in the document being returned to the discharger as if the task had not been completed.

If I have more questions, who do I ask?

Requirements for technical reports normally indicate the name, telephone number, and email address of the regional water board staff person involved at the end of the letter.

¹ All code sections referenced herein can be found by going to www.leginfo.ca.gov. Copies of the regulations cited are available from the Regional Board upon request.