CALIFORNIA
Water Boards

EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIQUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

September 19, 2014

Rev 973, LLC and Jerald A. Fine
c/o Franklin R. Fraley, Jr.
Fraley & Associates
617 West 7th Street, Suite 702
Los Angeles, CA 90017

Certified Mail
Return Receipt Requested
Claim No. 7001 0360 0000 3649 3460

Mouren-Laurens Oil Company
John and Mireille Mouren-Laurens
c/o Lee Smith
Trutanich-Michel, LLP
180 East Ocean Boulevard, Suite 200
Long Beach, CA 90802

Certified Mail
Return Receipt Requested
Claim No. 7001 0360 0000 3649 3477

Estate of Joseph Mouren-Laurens
c/o Eric M. Nakasu
Artiano & Associates
3828 Carson Street, Suite 102
Torrance, CA 90503

Certified Mail
Return Receipt Requested
Claim No. 7001 0360 0000 3649 3484

Estate of Emma Mouren-Laurens
c/o Alan R. Johnston
The Law Offices of Timothy C. Cronin, Esq.
744 Montgomery Street, Second Floor
San Francisco, CA 94111

Certified Mail
Return Receipt Requested
Claim No. 7001 0360 0000 3649 3460

SUBJECT: CLEANUP AND ABATEMENT ORDER No. R4-2014-0117

SITE: MOUREN-LAURENS OIL COMPANY LOCATED AT 641, 705, 717, AND 719 EAST COMPTON BOULEVARD, COMPTON, CALIFORNIA 90248 (SITE CLEANUP NO. 0023A)

Dear Mr. Jerrold A. Fine, Mr. John Mouren-Laurens and Ms. Mireille Mouren-Laurens:

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) is the public agency with primary responsibility for the protection of ground and surface water quality for all beneficial uses within major portions of Los Angeles County and Ventura County. The site is situated within the jurisdiction of the Regional Board.

Enclosed is Cleanup and Abatement Order (CAO) No. R4-2014-0117, directing Rev 973, LLC, Mouren-Laurens Oil Company, Estate of Joseph Mouren-Laurens, Estate of Emma Mouren-Laurens, John Mouren-Laurens and Mireille Mouren-Laurens to assess, monitor, cleanup, and abate the effects of wastes discharged to the soil and groundwater at the Mouren-Laurens Oil

Company facility located at 641, 705, 717, and 719 East Compton Boulevard in Compton, California (Site). This Order is issued under section 13304 of the California Water Code.

A draft of this CAO was provided to you on January 6, 2011, inviting comments. Comments were received from the Cronin Law Group on May 11, 2011 and from Michel & Associates and Fraley & Associates on July 11, 2011. The attached document, titled "Response to Comments – Draft Cleanup and Abatement Order No. R4-2011-0005," summarizes the comments received and the responses to those comments.

If you have any questions, please contact Mr. Adnan Siddiqui (project manager) at (213) 576-6812 (asiddiqui@waterboards.ca.gov) or Remediation Section Program Manager, Dr. Arthur Heath at (213) 576-6725 (aheath@waterboards.ca.gov).

Sincerely,

Samuel Unger

Samuel Unger, PE
Executive Officer

Enclosure:
1. Cleanup and Abatement Order No. R4-2014-0117
2. Response to Comments –Draft Cleanup and Abatement Order No. R4-2011-0005

CC: Ms. Patricia Leach c/o Michael J. Fitzgerald (via e-mail)

Regional Board Response to Comments Received for

Draft Cleanup and Abatement Order R4-2011-0005

Comments Due Date: February 10, 2011 extended to July 11, 2011

I-1 to I-15: Comments from the Cronin Law Group, representing Estate of Emma Mouren Laurens, Emma Mouren Laurens and Nicole Mouren Laurens dated May 11, 2011
II-1 to II-2: Comments from Michel & Associates representing Mouren Laurens Oil Company, John Mouren Laurens and Mireille Mouren Laurens dated July 11, 2011
III-1 to III-2: Comments from Comment from Rev 973, LLC representing current property owner Rev 973 LLC dated July 11, 2011, Prepared by Fraley & Associates

No.	Author	Comments	Regional Board's Response
I-1	Cronin Law Group	*The CAO Must Not BE Issued Against Nicole Mouren Laurens Because She has Absolutely No Nexus/Connection, Whatsoever, To The Site (Or Its Contamination), And ,Is Certainly Not A "Discharger" Under Water Code §13304(a), Or A Potentially Responsible Party Under Any Definition.:*	The Regional Board agrees at this time to remove Nicole Mouren Laurens as a responsible party, but will retain the Estate of Emma Mouren Laurens as a responsible party.
I-2	Cronin Law Group	*The Estate of Emma Mouren-Laurens Has No Access To The Sit, Which is Owned By Rev 973, And, Thus The Estate of Emma Mouren-Laurens Has No Ability To Comply With The Draft CAO or Conduct The Tasks Ordered Therein.*	California Water Code section 13304 authorizes the Regional Board to require persons who have caused or permitted waste to be discharged where it has caused or causes or threatens to cause pollution or nuisance. The State Water Resources Control Board has issued precedential orders interpreting section 13304 to apply to current and past owners and current and past operators and lessees. See e.g., State Water Resources Control Board Order No. WQ 86-16 (Stinnes-Western Chemical Corporation); Order No. WQ 89-13 (the

			BOC Group, Inc.). The Estate of Mouren Laurens is a past owner and operator of the site where waste was discharged and continues to cause pollution and/or nuisance. Therefore, it is a responsible party for the site. The responsible parties are jointly and severally liable and should work together to resolve access issues.
I-3	Cronin Law Group	*Estate of Emma Mouren-Laurens Does Not Have The Ability to Comply With The CAO Because It Does Not Have Resources To Do So.*	The responsible parties are jointly and severally liable for complying with the CAO. It is up to the responsible parties to determine how to provide funds to comply with the CAO
I-4	Cronin Law Group	*In Addition to the Fact That The CAO Should Not Be Issued Against Either Nicole Mouren-Laurens Or The Estate of Emma Mouren-Laurens (As Discussed Above) There Are Inaccuracies in the Draft CAO Which Should Be Corrected.*	The Regional Board agrees that there are minor inaccuracies in the CAO and has made those corrections.
II-1	Michel & Associates	*The clients have no physical access to the site to carry out the tasks of the CAO and Rev 973 is the only party who has site access.*	Rev 973 has control of the property and may permit other responsible parties access to conduct the cleanup. Rev 973 as owner of the property is responsible jointly and severally with the other responsible parties to comply with the CAO. If Rev 973 does not provide access, it is still responsible for complying with the CAO. See, e.g., State Water Resources Control Board Order No. WQ 89-8 (landowners responsible for cleanup of pollution on property regardless of their involvement in the activities).
II-2	Michel & Associates	*The clients have no financial means to conduct the tasks of the CAO. The insurance company refuses to finance the tasks of the CAO (assessment and remediation)*	See response to comment I-2.
II-3	Michel & Associates	*We have attached a redlined copy of some comments and proposed revisions to the draft CAO.*	The Regional Board has made some of proposed revisions as appropriate.

III-1	Fraley & Associates	*Rev 973 purchased a package of loans from FDIC, which included MLOC loan. After MLOC defaulted on the loan, Rev 973, automatically became the property owner through the process of foreclosure and not by choice. Therefore, as a foreclosing lender, Rev 973 cannot be named as a responsible party according to the law.*	Rev 973 is a responsible party due to its ownership of the site since 1998. In a series of orders, the State Water Resources Control Board has held that landowners are responsible for cleanup of their property. See, e.g., State Water Resources Control Board Order No. WQ 89-8 (landowners responsible for cleanup of pollution on property regardless of their involvement in the activities).
III-2	Fraley & Associates	*After Regional Board removes Rev 973 as a responsible party from the CAO, Rev 973 will provide Regional Board with information regarding the site operations and ownership information.*	Rev 973 is the owner of the property and has owned the property since 1998. Pursuant to Water Code section 13304, the Regional Board has the authority to name current owners of property where waste has been discharged and causes or continues to cause continuing discharges. Rev 973 has knowledge of, and the ability to control the discharges. See e.g., State Water Resources Control Board Order No. WQ 89-8 (landowners responsible for cleanup of pollution on property regardless of their involvement in the activities).

STATE OF CALIFORNIA
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LOS ANGELES REGION

CLEANUP AND ABATEMENT ORDER NO. R4-2014-0117
REQUIRING

REV 973, LLC; MOUREN-LAURENS OIL COMPANY; THE ESTATE OF JOSEPH MOUREN-LAURENS; THE ESTATE OF EMMA MOUREN-LAURENS; JOHN MOUREN-LAURENS; AND MIREILLE MOUREN-LAURENS

TO ASSESS, CLEAN UP, AND ABATE
WASTE DISCHARGED TO WATERS OF THE STATE
(PURSUANT TO CALIFORNIA WATER CODE SECTIONS 13304 AND 13267)

AT MOUREN-LAURENS OIL COMPANY
FOR PROPERTIES LOCATED AT 641, 705, 717, AND 719 EAST COMPTON BOULEVARD
COMPTON, CALIFORNIA 90248
(SITE CLEANUP NO. 0023A)

This Cleanup and Abatement Order (Order) is issued to Rev 973, LLC, Mouren-Laurens Oil Company, Estate of Joseph Mouren-Laurens, Estate of Emma Mouren-Laurens, John Mouren-Laurens and Mireille Mouren-Laurens based on California Water Code sections 13304 and 13267, which authorize the Regional Water Quality Control Board, Los Angeles Region (Regional Board) to issue a Cleanup and Abatement Order and require the submittal of technical and monitoring reports.

The Regional Board finds that:

BACKGROUND

1. **Discharger**: Rev 973, LLC, Mouren-Laurens Oil Company (MLOC), Estate of Joseph Mouren-Laurens, Estate of Emma Mouren-Laurens, John Mouren-Laurens and Mireille Mouren-Laurens (hereinafter called "Dischargers") are considered responsible parties due to their ownership of the property or their operation of industrial activities at the property:

a) Rev 973, LLC is the current owner of the property.
b) MLOC conducted operations at the property.
d) Estate of Joseph Mouren-Laurens. (Joseph Mouren-Laurens is deceased and was a former owner).
e) Estate of Emma Mouren-Laurens. (Emma Mouren-Laurens is deceased and was a former owner).
f) John Mouren-Laurens is the son of Joseph Mouren-Laurens Sr., he acquired the property in 1979 and ran the site operations.

g) Mireille Mouren-Laurens is the wife of John Mouren-Laurens and she is a former owner of the property.
As detailed in this Order, the Dischargers have caused or permitted waste to be discharged or deposited where it is, or probably will be, discharged into the waters of the state which creates, or threatens to create, a condition of pollution or nuisance.

2. **Location:** The Mouren-Laurens Oil Company (Site) is located on Compton Boulevard in an unincorporated area of Los Angeles County (Site Plan in Attachment A). The Site consists of four separate addresses:

Building 1 at 641 East Compton Boulevard, Los Angeles County Assessor Parcel Numbers (APN) 6137-004-030
Building 2 at 705 East Compton Boulevard, APN 6137-004-031
Building 3 at 717 East Compton Boulevard, APN 6137-004-032
Building 4 at 719 East Compton Boulevard, APN 6137-004-033

3. **Groundwater Basin:** The Site has an elevation of approximately 92 feet above mean seal level and it is located in the Central Basin of the Los Angeles County Coastal Plain in the proximity of the Avalon-Compton Fault. The normal fault has disturbed the San Pedro Formation. The Site is underlain by alluvial material consisting of clay, silt, sand and gravel. The Bellflower Aquiclude overlies the Gardena/Gage Aquifer of Lakewood Formation beneath the Site. Exposition-Artesia Aquifer is absent beneath the Site. The maximum depth of investigation at the Site is 95 feet below ground surface (bgs). There are two groundwater zones identified at approximately 60 feet bgs and 80 feet bgs located within the Bellflower Aquiclude beneath the Site. There are several groundwater monitoring wells screened within the two groundwater zones. The groundwater flow is towards south-south east.

As set forth in the Water Quality Control Plan for the Los Angeles Region (Basin Plan), which was adopted on June 13, 1994, and amended from time to time, the designated beneficial uses for groundwater in the Central Basin include municipal and domestic drinking water supply (MUN), Industrial Service Supply (IND), Industrial Process Supply (PROC) and Agricultural Supply (AGR).

SITE HISTORY

4. **Site Description and Activities:** The Site is approximately 170,000 square feet in area and consists of four buildings and formerly included aboveground storage tanks (ASTs), associated piping, a loading dock and parking space. The Site was the location of an active oil production well until 1955, when it was purchased by Joseph Mouren-Laurens who was the founder of MLOC in Vernon, California. He relocated MLOC's operations to the Site between 1955 and 1958. Until 1965, various individuals owned the site, when Joseph Mouren-Laurens became the owner of the Site. His wife, Emma Mouren-Laurens also owned the property. In 1979, his son John Mouren Laurens, along with John's wife Mireille Mouren Laurens, became owners of the property and operated at the Site. In 1998, the property was acquired by Rev 973, LLC. The ASTs and associated piping were demolished and removed. by Rev 973, LLC. The four buildings are still present and are used for truck storage and a warehouse. Figure 2 of Attachment A, attached hereto and incorporated herein, depicts the Site features.

5. **Chemical Usage:** MLOC was engaged in blending and packaging of both new and recycled/refined/reclaimed motor oils, transmission oils, and antifreeze for retail. Tanker trucks from oil refineries delivered both new and recycled/refined/reclaimed motor oil to the above ground storage tanks. From these ASTs oil was piped into a plant where it was blended and packaged for retail. In addition, one underground pipeline transferred recycled/refined/reclaimed oil from the adjacent Leach Oil Company (LOC) site to the ASTs located in the northern portion of the Site. The site operations also included various phases of receiving, processing, and packaging of chemicals. For over 50 years, the Site was used for oil storage, blending and repackaging of recycled/refined/reclaimed oil, petroleum products, cleaning agents, and commercially available chemicals. Based on the available information, the usage, storage, and transfer of chemicals and/or hazardous materials at the Site, at a minimum, include: crude oil, processed oil (motor oil, transmission oil), solvents, antifreeze, resins, urethane and household cleaning agents. A general summary of historical activities in each building, as the Regional Board understands those activities, is as follows:

a) Building No. 1 – The building was constructed between 1956 and 1958. MLOC conducted blending and repackaging operations in the warehouse portion of this building. During this period, portions of the building were leased for office space.

b) Building No. 2 – The building was constructed in 1965. At one time a portion was leased to SanWare Company, which operated a spray booth. Other tenants used the building for repackaging of cleaners, fiberglass boat manufacturing and urethane processes and packaging.

c) Building No. 3 – Various tenants occupied and conducted operations in the building. Urethane Systems blended urethane chemicals, blending of hair and beauty products. Hazardous waste manifests indicate shipping of non-RCRA hazardous waste liquid from this building.

d) Building No. 4 – In the 1990s, John Mouren-Laurens started a new business called Premier Chemicals. It purchased bulk glass cleaners, pine cleaner, carpet cleaner, fabric softener, laundry detergent, shampoo, odor eliminator cleaner, and dishwashing liquid for repackaging and retail sale.

EVIDENCE OF WASTE DISCHARGES AND BASIS FOR ORDER

6. **Waste Discharges:** The data collected from environmental investigations conducted at the Site indicate that waste discharges occurred during industrial operations at the Site. The environmental investigations have been conducted previously by Clayton, AEI Consultants, Waterstone Environmental and currently by MK Environmental Consulting, Inc.

Data collected from environmental investigations conducted at the Site indicate that wastes discharged at the Site due to the industrial operations consist of solvents, petroleum hydrocarbons, volatile organic compounds (VOCs), semi-volatile organic compounds (semiVOCs), polychlorinated biphenyls (PCBs), metals, pesticides and emergent chemicals such as 1,4-Dioxane.

Concentrations of some chemicals detected in soil and groundwater at the Site, based on analytical testing results, are presented below:

a) **In soil:** tetrachloroethylene (PCE) at 40,900 micrograms per kilogram (µg/kg), trichloroethylene (TCE) at 9,490 µg/kg, 1,2,4-trimethylbenzene (TMB) at 245,000 µg/kg,, toluene at 115,000 µg/kg , acetone at 17,800 µg/kg, naphthalene at 2,570 µg/kg and 1,4-dioxane at 25,000 µg/kg. total petroleum hydrocarbons (TPH) as gasoline at 5,000 milligrams per kilogram (mg/Kg);

b) **In soil-gas:** PCE at 159 micrograms per liter (µg/L), TCE at 1,048 µg/L, vinyl chloride at 2,148 µg/L and benzene at 1,184 µg/L. PCE, TCE, vinyl chloride and benzene were detected at 72.1 µg/L, 130 µg/L, 28 µg/L and 2,170 µg/L, respectively in soil vapor samples collected from 5-foot depth at the Site.

c) **In groundwater:** The historical maximum concentrations were: TCE at 3,300 µg/L, cis 1,2-DCE at 1,100 µg/L benzene at 333 µg/L, toluene at 1,400 µg/L, 1,4-dioxane at 140 µg/L, tert butyl alcohol at 810 µg/L, arsenic at 2,440 µg/L, thallium at 510 µg/L and hexavalent chromium at 54 µg/L. TPH as gasoline was detected at 6,390 µg/L.

The Leach Oil Company is located adjacent to the Site. Discharges of waste at the MLOC Site have commingled with discharges of waste at the LOC Site. The Regional Board is also overseeing assessment, cleanup, and remediation of the Leach Oil Company site.

7. **Source Elimination and Remediation Status:** The activities related to waste oil processing no longer occur at the Site and all the tanks and other structures related to the operation have been removed. The three buildings are still present and occupied by tenants.

8. **Summary of Findings from Subsurface Investigations:** The Regional Board has reviewed the technical reports and records in its files pertaining to the discharge, detection, and distribution of wastes at the Site and the Site vicinity. Elevated concentrations of waste, including VOCs and other wastes, have been detected in soil vapor, soil matrix, and groundwater beneath the Site.

a) The TCE, TMB and TPH concentrations in soil exceed the May 2014, United States Environmental Protection Agency (USEPA) Region IX direct contact exposure pathways Regional Screening Level (RSL) for commercial/industrial land use of 0.6 mg/kg, 242 mg/kg and 440 mg/kg, for TCE, TMB and TPH, respectively. These concentrations of chemicals in shallow soil pose a potential threat to human health.

b) The PCE, TCE vinyl chloride and benzene concentrations in soil gas at 5-foot depth exceed the California Human Health Screening Levels (CHHSLs) of 0.063 µg/L, 1.770 µg/L, 0.0448 µg/L and 0.122 µg/L, respectively for commercial/industrial land use posing a potential threat to human health through vapor intrusion into the indoor air.

c) The TCE, cis 1,2-DCE, benzene, toluene, arsenic, and thallium concentrations in groundwater exceed their respective Environmental Protection Agency, State Water Resources Control Board, Division of Drinking Water (DDW) maximum contamination levels (MCLs) of 5 µg/L, 6 µg/L, 1 µg/L, 150 µg/L, 10 µg/L and 2 µg/L; posing a threat to drinking water resources. In addition, hexavalent chromium concentration exceeds

CDPH public health goal of 0.02 µg/L. The concentrations of 1,-Dioxane and TBA in groundwater exceed its notification level of 1 µg/L and 12 µg/L established by DDW.

9. **Regulatory Status**: The Regional Board has provided regulatory oversight for the Site since 1987. A Cleanup and Abatement Order (No. 87-38) was issued on November 20, 1987 to MLOC and Mr. John P. Mouren-Laurens, president of the MLOC for cleanup of the spills, runoff and petroleum products discharged to soil and groundwater at the Site. The Site has been regulated under the Site Cleanup Program of the Regional Board since 1999.

10. **Impairment of Drinking Water Wells:** The Regional Board has the authority to require the Discharger to pay for or provide uninterrupted replacement water service to each affected public water supplier or private well owner in accordance with Water Code section 13304.

11. **Sources of Information:** The sources for the evidence summarized above include but are not limited to: reports and other documentation in the Regional Board files, telephone calls and e-mail communication with the Dischargers and their consultants, and Site visits.

AUTHORITY - LEGAL REQUIREMENTS

12. Section 13304(a) of the Water Code provides that:

"Any person who has discharged or discharges waste into the waters of this state in violation of any waste discharge requirement or other order or prohibition issued by a regional board or the state board, or who has caused or permitted, causes or permits, or threatens to cause or permit 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 the waste or abate the effects of the waste, or, in the case of threatened pollution or nuisance, take other necessary remedial action, including, but not limited to, overseeing cleanup and abatement efforts. A cleanup and abatement order issued by the state board or a regional board may require the provision of, or payment for, uninterrupted replacement water service, which may include wellhead treatment, to each affected public water supplier or private well owner. Upon failure of any person to comply with the cleanup and abatement order, the Attorney General, at the request of the board, shall petition the superior court for that county for the issuance of an injunction requiring the person to comply with the order. In the suit, the court shall have jurisdiction to grant a prohibitory or mandatory injunction, either preliminary or permanent, as the facts may warrant."

13. Section 13304(c)(1) of the California Water Code provides that:

"[T]he person or persons who discharged the waste, discharges the waste, or threatened to cause or permit the discharge of the waste within the meaning of subdivision (a), are liable to that governmental agency to the extent of the reasonable costs actually incurred in cleaning up the waste, abating the effects of the waste, supervising cleanup or abatement activities, or taking other remedial action."

14. Section 13267(b)(1) of the California Water Code provides that:

"In conducting an investigation ... the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region ... shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports."

15. The State Water Resources Control Board (hereafter State Water Board) has adopted Resolution No. 92-49, the "Policies and Procedures for Investigation and Cleanup and Abatement of Discharges Under Water Code Section 13304" (Resolution 92-49). Resolution 92-49 sets forth the policies and procedures to be used during an investigation and cleanup of a polluted site and requires that cleanup levels be consistent with State Water Board Resolution 68-16, the "Statement of Policy With Respect to Maintaining High Quality of Waters in California." Resolution 92-49 and the Basin Plan establish the cleanup levels to be achieved. Resolution 92-49 requires the waste to be cleaned up to background, or if that is not reasonable, to an alternative level that is the most stringent level that is economically and technologically feasible in accordance with Title 23, California Code of Regulations (CCR) Section 2550.4. Any alternative cleanup level to background must (1) be consistent with the maximum benefit to the people of the state; (2) not unreasonably affect present and anticipated beneficial use of such water; and (3) not result in water quality less than that prescribed in the Basin Plan and applicable Water Quality Control Plans and Policies of the State Board.

16. The Regional Board adopted the Water Quality Control Plan for the Los Angeles Region (Basin Plan), which identifies beneficial uses and establishes water quality objectives to protect those uses. The Site overlies groundwater in the Central Basin of the Los Angeles Coastal Plain. The designated beneficial uses of the groundwater beneath the Site are Municipal (MUN), Industrial Service Supply (IND), Industrial Process Supply (PROC) and Agricultural Supply (AGR). A s noted in paragraph 8.c, the exceedance of applicable water quality objectives in the Basin Plan constitutes pollution as defined in Water Code section 13050(l)(1). The wastes detected in groundwater, soil matrix and vapor at the Site threaten to cause pollution and nuisance.

17. It is the policy of the State of California that every human being has the right to safe, clean, affordable, and accessible water adequate for human consumption, cooking, and sanitary purposes. This Order promotes that policy by requiring the cleanup and remediation of waste in groundwater that is or may be used for domestic purposes, to meet standards designed to protect human health.

18. **Public Participation:** The Regional Board may require the Dischargers to submit a Public Participation Plan or engage in other activities to disseminate information and gather community input regarding the Site, as authorized or required by Water Code sections 13307.1, 13307.5 and 13307.6.

DISCHARGER LIABILITY

19. As described in this Order and the record of the Regional Board, the Dischargers are subject to an order pursuant to Water Code section 13304 because the Dischargers have caused or permitted waste, including VOCs, 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. The Dischargers have caused or permitted waste, including VOCs, to be discharged or deposited where the wastes are, or probably will pose, a nuisance to persons at the Site, including potential human health threat to occupants of the building onsite through direct contact exposure to contaminated soil and/or groundwater or through vapor intrusion into indoor air. The condition of pollution and/or nuisance is a priority violation and issuance or adoption of a cleanup or abatement order pursuant to Water Code Section 13304 is appropriate and consistent with the policies of the Regional Board.

20. The constituents found at the Site are described in Finding 8 and the Regional Board files related to this Site. These constituents constitute "waste" as defined in Water Code section 13050(d). The discharge of waste has resulted in pollution, as defined in Water Code section 13050(l), and nuisance as defined in Water Code section 13050(m). The concentration of wastes in soil and groundwater exceed water quality objectives contained in the Basin Plan, including maximum contaminant levels (MCLs).

21. This Order requires investigation and cleanup of the Site in compliance with the Water Code, the applicable Basin Plan, State Water Board Resolution 92-49, and other applicable plans, policies, and regulations. Rev 973, LLC, Mouren-Laurens Oil Company, the Estate of Joseph Mouren-Laurens, the Estate of Emma Mouren-Laurens, John Mouren-Laurens and Mireille Mouren-Laurens as the current and former owners and operators of the Site and facilities at the Site are responsible for complying with this Order. Rev 973 is responsible as the current owner because it has the responsibility and ability to address discharges at the Site. The Mouren-Laurens Oil Company is responsible because it conducted the activities that resulted in the discharges of waste. The remaining parties are responsible because they owned and/or operated the site during the activities that resulted in the discharges of waste at the Site.

22. This Order requires the submittal of technical or monitoring reports pursuant to Water Code section 13267. The Dischargers are required to submit the reports because, as described in the findings in this Order and the records of the Regional Board, the Dischargers discharged waste and are suspected of having discharged or discharging waste at the Site. The reports are necessary to evaluate the extent of the impacts of the discharge of waste on water quality and public health, and to determine the scope of the remedy necessary to cleanup and abate those impacts. The burden, including costs of the reports, bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. Additional evidence in support of requiring these reports can be found in the Regional Board files related to this Site.

CONCLUSIONS

23. Issuance of this Order is being taken for the protection of the environment and as such is exempt from provisions of the California Environmental Quality Act (CEQA) (Pubic Resources Code section 21000 et seq.) in accordance with California Code of

Regulations, title 14, sections 15061(b)(3), 15306, 15307, 15308, and 15321. This Order generally requires the Dischargers to submit plans for approval prior to implementation of cleanup activities at the Site. Mere submittal of plans is exempt from CEQA as submittal will not cause a direct or indirect physical change in the environment and/or is an activity that cannot possibly have a significant effect on the environment. CEQA review at this time would be premature and speculative, as there is simply not enough information concerning the proposed remedial activities and possible associated environmental impacts. If the Regional Board determines that implementation of any plan required by this Order could have a significant effect on the environment, the Regional Board, or other lead agency, will conduct the necessary and appropriate environmental review prior to Executive Officer approval of the applicable plan.

24. Pursuant to sections 13304 and 13365 of the Water Code, the Regional Board may seek reimbursement for all reasonable costs to oversee cleanup of such waste, abatement of the effects thereof, or other remedial action, including public participation. This Order requires the Dischargers to reimburse the Regional Board for such costs.

25. 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 this 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.

REQUIRED ACTIONS

THEREFORE, IT IS HEREBY ORDERED, pursuant to sections 13267 and 13304 of the California Water Code that the Dischargers shall investigate, cleanup, and abate the effects of waste discharged or deposited at or from the Site in accordance with the following requirements:

1. **Conduct and Submit a Phase I Environmental Site Assessment report**:

Conduct a Phase I environmental assessment for the property in accordance with the latest standards applicable, including the USEPA "All Appropriate Inquiry" rule.

2. **Develop, Submit and Implement a Site Assessment Work Plan(s) to Assess, Characterize and Delineate the Extent of Wastes in Soil, Soil Vapor and Groundwater:**

a. Fully assess and characterize and completely delineate the vertical and lateral extent of wastes onsite and offsite in the soil matrix, soil vapor, and groundwater. The

assessment will include VOCs and any other waste constituents that were discharged or deposited at the Site.

b. Identify the locations of all waste sources at the Site such as tanks, clarifiers, sumps, piping and other sources, to allow for full assessment of the extent of waste discharged at the Site.

c. Include a time schedule for implementation of the work proposed in the Site Assessment Work Plan.

d. Upon Executive Officer approval of the Site Assessment Work Plan(s) and time schedule, implement the Site Assessment Work Plan in accordance with the approved schedule. Upon completion of the work, submit a Site assessment report to the Regional Board containing the results, conclusions and recommendations.

e. Develop and include a Site Conceptual Model (SCM) in Site Assessment reports submitted to the Regional Board in Site Assessment reports.

f. Completion of the Site Assessment may require multiple work plans.

3. **Conduct Remedial Action**: Develop and implement a plan for the cleanup of waste in the soil matrix, soil vapor, and groundwater and abatement of the effects of the waste. Specifically, you shall:

a. Develop a comprehensive Remedial Action Plan (RAP) for cleanup of waste in the soil matrix, soil vapor and groundwater discharged or deposited at the Site and submit it to the Regional Board for review and approval. The RAP shall include, at a minimum:

i. Propose preliminary cleanup goals for soil and groundwater in compliance with State Water Board Resolution 92-49 ("Policies and Procedures for Investigation and Cleanup and Abatement of Discharges Under Water Code Section 13304"). The cleanup levels must be protective of the human health, groundwater and surface water resources, environment and the beneficial uses set forth in the Basin Plan. Alternative cleanup levels to background for groundwater shall not exceed water quality objectives in the Basin Plan. Alternative cleanup levels to background for soil and soil vapor shall not exceed levels that will result in groundwater exceeding water quality objectives in the Basin Plan.

ii. Evaluate the technology(ies) proposed for remediation of soil matrix, soil vapor and groundwater.

iii. Describe the selection criteria for choosing the proposed method over other potential remedial options. Discuss the technical merit, suitability of the selected method under the given Site conditions and waste constituents present, economic and temporal feasibility, and immediate and/or future beneficial results.

iv. Describe of any pilot projects intended to be implemented.

v. Estimate cumulative mass of wastes to be removed with the selected method. Include all calculations and methodologies used to obtain this estimate.

vi. Propose a schedule for completion of the RAP.

b. Revisions to or additional RAPs may be needed if the implemented remedial measure does not completely achieve all Site cleanup goals.

c. Upon Regional Board approval of the Remedial Action Plan(s), implement the RAP in accordance with the approved time schedule.

d. Submit remediation progress reports to this Regional Board as set forth in the Monitoring and Reporting Program (Attachment C) in accordance with the approved schedule in Time Schedule, Attachment B. The remediation progress reports shall document all performance data associated with the operating systems.

4. **Conduct Human Health Risk Assessment:** Upon assessment and/or implementation of the remedial action at the Site, the Dischargers shall conduct a human health risk assessment (HHRA) using concentrations of chemicals in soil, soil vapor and groundwater at the Site.

5. **Conduct Groundwater Monitoring:**

a. Develop a groundwater monitoring program. The Dischargers shall evaluate the groundwater monitoring program previously implemented at the Site and develop a revised plan that includes new and/or replacement wells, installed in accordance with the action required in Requirement No. 2. In the evaluation, the Dischargers must consider all pertinent information from each well including, but not limited to, the location of the well, total depth, well construction details, subsurface lithology and groundwater zones, and historical analytical results. Provide an inventory and status of every groundwater well that was installed at the Site. The revised groundwater monitoring program must also include a sampling and analysis plan.

b. Upon Regional Board approval of the Groundwater Monitoring Program, you shall implement the plans in accordance with the approved time schedule.

c. Submit Groundwater Monitoring Program reports to the Regional Board as set forth in the Monitoring and Reporting Program (Attachment C) in accordance with the approved schedule in Time Schedule, Attachment B.

d. Revision to the Groundwater Monitoring Program may be needed based on the results of groundwater monitoring. The Regional Board may require revisions to and implementation of the revised Groundwater Monitoring Programs, but will consider revisions to the due dates if additional work is needed.

5. Time Schedule: Submit all required work plans and reports and complete work within the time schedule included in any approved work plan or RAP and the time schedule listed in Attachment B attached hereto and incorporated herein by reference, which may be revised by the Executive Officer. No such revision will be effective unless made in writing.

6. The Regional Board's authorized representative(s) shall be allowed:

a) Entry upon premises where a regulated facility or activity is located, conducted, or where records are stored, under the conditions of this Order;

b) Access to copy any records that are stored under the conditions of this Order;

c) Access to inspect any facility, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and

d) The right to photograph, sample, and monitor the Site for the purpose of ensuring compliance with this Order, or as otherwise authorized by the California Water Code.

7. Contractor/Consultant Qualification: As required by the California Business and Professions Code Sections 6735, 7835, and 7835.1, all reports shall be prepared by, or under the supervision of, a California registered professional engineer or geologist and signed by the registered professional. All technical reports submitted by the Dischargers shall include a statement signed by the authorized representative certifying under penalty of law that the representative has examined and is familiar with the report and that to his knowledge, the report is true, complete, and accurate. All technical documents shall be signed by and stamped with the seal of the above-mentioned qualified professionals that reflects a license expiration date.

8. This Order is not intended to permit or allow the Dischargers to cease any work required by any other Order issued by the Regional Board, nor shall it be used as a reason to stop or redirect any investigation or cleanup or remediation programs ordered by the Regional Board or any other agency. Furthermore, this Order does not exempt the Dischargers from compliance with any other laws, regulations, or ordinances which may be applicable, nor does it legalize these waste treatment and disposal facilities, and it leaves unaffected any further restrictions on those facilities which may be contained in other statutes or required by other agencies.

9. The Dischargers shall submit a 30-day advance notice to the Regional Board of any planned changes in name, ownership, or control of the Site and shall provide a 30-day advance notice of any planned physical changes to the Site that may affect compliance with this Order. In the event of a change in ownership or operator, the Dischargers also shall provide a 30-day advance notice, by letter, to the succeeding owner/operator of the existence of this Order, and shall submit a copy of this advance notice to the Regional Board.

10. Destruction and abandonment of any groundwater well(s) at the Site must be approved by and reported to the Regional Board at least 30 days in advance. Any groundwater wells removed must be replaced within a reasonable time, at a location approved by the Regional Board. With written justification, the Regional Board may approve the destruction of groundwater wells without replacement. When a well is destroyed, all work shall be completed in accordance with California Department of Water Resources Bulletin 74-90, "California Well Standards," Monitoring Well Standards Chapter, Part III, Sections 16-19.

11. In the event compliance cannot be achieved within the terms of this Order, the Dischargers may request, in writing, an extension of the time specified. The extension request shall include an explanation why the specified date could not or will not be met

and justification for the requested period of extension. Any extension request shall be submitted as soon as the situation is recognized and no later than the compliance date. Extension requests not approved in writing with reference to this Order are denied.

12. Reference herein to determinations and considerations to be made by the Regional Board regarding the terms of the Order may be made by the Executive Officer or his/her designee. Decisions and directives made by the Executive Officer in regards to this Order shall be as if made by the Regional Board.

13. The Regional Board, through its Executive Officer, may amend this Order as additional information becomes available. Upon request by the Dischargers, and for good cause shown, the Executive Officer may defer, delete or extend the date of compliance for any action required of the Dischargers under this Order without amending the Order. Any such revision must be made in writing to be effective. The authority of the Regional Board, as contained in the California Water Code, to order investigation and cleanup, in addition to that described herein, is in no way limited by this Order.

14. Continue any remediation or monitoring activities until such time as the Executive Officer determines that sufficient cleanup has been accomplished and this Order has been rescinded.

15. Reimburse the Regional Board for reasonable costs associated with oversight of the investigation and cleanup of the waste at or emanating from the Site. Provide the Regional Board with the name or names and contact information for the person to be provided billing statements from the State Water Resources Control Board.

16. A Public Participation Plan shall be prepared and/or updated when directed by the Executive Officer as necessary to reflect the degree of public interest in the investigation and cleanup process.

17. The Regional Board, under the authority given by Water Code section 13267(b)(1), requires you to include a perjury statement in all reports submitted under this Order. The perjury statement shall be signed by a senior authorized representative (not by a consultant). The perjury statement shall be in the following format:

    "I, [NAME], certify under penalty of law that this document and all attachments were prepared by me, or under my direction or supervision, in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

18. The State Water Board adopted regulations requiring the electronic submittals of information over the internet using the State Water Board GeoTracker data management system. You are required to comply by uploading all reports required in this Order and correspondence prepared to date on to the GeoTracker data management system. The text of the regulations can be found at the URL:

http://www.waterboards.ca.gov/ust/cleanup/electronic_reporting/docs/final_electronic_regs_dec04.pdf.

19. Failure to comply with the terms or conditions of this Order may result in imposition of civil liabilities, imposed either administratively by the Regional Board or judicially by the Superior Court in accordance with sections 13268, 13304, 13308, and/or 13350 of the California Water Code, and/or referral to the Attorney General of the State of California.

20. None of the obligations imposed by this Order on the Dischargers are intended to constitute a debt, damage claim, penalty or other civil action which should be limited or discharged in a bankruptcy proceeding. All obligations are imposed pursuant to the police powers of the State of California intended to protect the public health, safety, welfare, and environment.

Ordered by: Samuel Unger
Samuel Unger, P.E.
Executive Officer

Date: Sept. 19, 2014

Attachment A

Figures

Attachment B

Time Schedule

Time Schedule

	DIRECTIVE	DUE DATE
1.	**Phase I Site Assessment**:	
1a.	Prepare a Phase I Environmental Site Assessment for the property	**December 30, 2014**
2.	**Site Assessment Work Plan**:	
2a.	Prepare and submit to the Regional Board a work plan including a schedule for completing delineation of lateral and vertical extent of wastes in soil gas, soil matrix and groundwater onsite and offsite.	**December 30, 2014**
2b.	Implement the Site Assessment Work Plan according to approved schedule.	According to schedule approved by the Executive Officer
2c.	Submit a Site assessment report after the approval of the work plan and its implementation	According to schedule approved by the Executive Officer
2d.	Multiple Site Assessment Work Plans may be required to complete assessment of and fully delineate waste discharge	Within 60 days of receiving directives from the Regional Board.
3.	**Conduct Remedial Action**:	
3a.	Submit a Remedial Action Plan(s) (RAP) for cleanup of wastes in soil, soil vapor and groundwater that includes a time schedule for implementation.	Within 60 days of receiving directives from the Regional Board.
3b.	Implement RAP.	According to schedule approved by the Executive Officer
3c.	Upon completion of implementation of the RAP, submit a Remedial Action Completion Report.	According to schedule approved by the Executive Officer
3d.	Multiple RAPs may be required to complete assessment of and fully delineate waste discharge	According to schedule approved by the Executive Officer
4.	**Conduct Human Health Risk Assessment**:	
4a.	Prepare and submit a human health risk assessment considering all waste constituents in the soil matrix, soil	According to schedule approved by the Executive Officer

	gas and groundwater, all exposure pathways and receptors and applying existing regulatory human health screening levels and/or acceptable risk assessment models.	
5.	**Conduct Groundwater Monitoring**:	
5a.	Prepare and submit to the Regional Board a Groundwater Monitoring Plan for the Site. Include a Sampling and analysis plan.	**December 30, 2014**
5b.	Implement the Groundwater Monitoring and Plan according to approved schedule.	According to schedule approved by the Executive Officer.
6.	**Public Participation Plan**	
6a	Develop a public participation plan to inform public and stakeholders about proposed activities and board actions.	According to schedule approved by the Executive Officer.

ATTACHMENT C

Monitoring and Reporting Program

MONITORING AND REPORTING PROGRAM FOR CLEANUP AND ABATEMENT ORDER

This Monitoring and Reporting Program (MRP) is issued pursuant to Water Code section 13267 and is part of Cleanup and Abatement Order (Order). Failure to comply with this MRP can result in the imposition of civil liability, pursuant to the California Water Code section 13268. All sampling and analyses shall be by USEPA approved methods. The test methods chosen for detection of the constituents of concern shall be subject to review and concurrence by the California Regional Water Quality Control Board, Los Angeles Region (Regional Board).

Laboratory analytical reports to be included in technical reports shall contain a complete list of chemical constituents which are tested for and reported on by the testing laboratory. In addition, the reports shall include both the method detection limit and the practical quantification limit for the testing methods. All samples shall be analyzed within allowable holding times. All quality assurance/quality control (QA/QC) samples must be run on the same dates when samples were actually analyzed. Proper chain of custody procedures must be followed and a copy of the completed chain of custody form shall be submitted with the report. All analyses must be performed by a State Water Resources Control Board, Division of Drinking Water accredited laboratory.

The Regional Board's Quality Assurance Project Plan, September 2008, can be used as a reference and guidance for project activities involving sample collection, handling, analysis and data reporting. The guidance is available on the Regional Board's web Site at:

http://www.waterboards.ca.gov/rwqcb4/water_issues/programs/remediation/Board_SGV-SFVCleanupProgram_Sept2008_QAPP.pdf

GROUNDWATER MONITORING

Dischargers shall collect groundwater samples from groundwater monitoring wells installed for the purpose of site investigation and monitoring. Any monitoring wells installed in the future shall be added to the groundwater monitoring program and sampled regularly. The groundwater surface elevation (in feet above mean sea level [MSL]) in all monitoring wells shall be measured and used to determine the gradient and direction of groundwater flow.

The groundwater shall be analyzed for all constituents pertinent to the Site such as provided below:

Constituent	EPA Method
Volatile Organic Compounds (full scan)	EPA 8260B
Total petroleum hydrocarbons as gasoline	EPA 8015 modified
Metals	EPA 6010
Hexavalent Chromium	EPA 7199
Ammonium Perchlorate	EPA 314.0
1,4-dioxane	EPA 8270C
N-Nitrosodimethylamine (NDMA)	EPA 1625
Temperature	Field*
pH	Field
Electrical Conductivity	Field

Oxidation-Reduction Potential (ORP)	Field
Turbidity	Field

* To be measured in the field.

REMEDIATION SYSTEMS

Reports on remediation systems shall contain all pertinent information regarding the Site remediation systems:

1. Maps showing location of all remediation wells, if applicable;

2. Status of each remediation system including amount of time operating and down time for maintenance and/or repair;

3. The report shall include tables summarizing the operating and performance parameters for the remediation systems; and

4. System inspection sheets shall document field activities conducted during each Site visit and shall be included in the reports

MONITORING FREQUENCIES

Specifications in this monitoring program are subject to periodic revisions. Monitoring requirements may be modified or revised by the Executive Officer based on review of monitoring data submitted pursuant to the Order, without amending the Order. Monitoring frequencies may be adjusted or parameters and locations removed or added by the Executive Officer, without amending the Order, if site conditions indicate that the changes are necessary. Any revisions to monitoring requirements or monitoring frequencies must be made in writing to be effective.

REPORTING REQUIREMENTS

1. The Dischargers shall report all monitoring data and information as specified herein. Reports that do not comply with the required format will be REJECTED and the Dischargers shall be deemed to be in noncompliance with the Monitoring and Reporting Program

2. Regular groundwater monitoring reports shall be submitted to the Regional Water Board according to the schedule.

Monitoring Period	Report Due
January - March	April 15
April - June	July 15
July - September	October 15
October - December	January 15

Groundwater monitoring reports shall include a contour map showing groundwater elevations at the Site and the groundwater flow direction. The quarterly

groundwater monitoring reports shall include tables summarizing the historical depth-to-water, groundwater elevations and historical analytical results for each monitoring well. The results of any monitoring done more frequently than required at the locations specified in the Monitoring and Reporting Program shall be reported to the Regional Water Board. Field monitoring well sampling sheets shall be completed for each monitoring well sampled and included in the report.

Remediation progress reports shall be submitted to the Regional Water Board according to the schedule.

Monitoring Period	Report Due
January - March	April 15
April - June	July 15
July - September	October 15
October - December	January 15

3. Remediation progress reports shall include an estimate of the cumulative mass of contaminant removed from the subsurface, system operating time, the effectiveness of the remediation system, any field notes pertaining to the operation and maintenance of the system and, if applicable, the reasons for and duration of all interruptions in the operation of any remediation system and actions planned or taken to correct and prevent interruptions.

The Dischargers shall arrange the data in tabular form so that the date, the constituents, and the concentrations are readily discernible. The data shall be summarized to demonstrate compliance with the requirements. All data shall be submitted in electronic form in a form acceptable to the Regional Water Board.