

SUMMARY OF WATER QUALITY ORDER

ORDER NO.	WQ 2008-0004
DATE ADOPTED	June 3, 2008
PETITION TITLE	In the Matter of Rialto-Area Perchlorate Contamination
POPULAR NAME [if applicable]	Rialto-Area Perchlorate Contamination
REGIONAL BOARD	Santa Ana Regional Water Quality Control Board
FILE NO	SWRCB/OCC File A-1824

INTERLOCUTORY DECISION

The Santa Ana Regional Water Quality Control Board (Santa Ana Water Board) has been conducting an investigation of groundwater contamination in the area of the City of Rialto focusing on a 160-acre site. The Santa Ana Water Board Executive Officer issued a Cleanup and Abatement Order (CAO) for the site on February 8, 2005. The 2005 CAO and amendments are the subject of challenges in petitions to the State Water Resources Control Board (State Water Board), some of which were recently activated by various entities named by the Santa Ana Water Board as responsible parties. In light of the various objections and appeals, and the need to take action in an expeditious manner, the State Water Board, acting through its Executive Director, decided to review this matter on its own motion and by letter dated February 5, 2007, informed all parties it would hold a hearing on this matter

Review by the State Water Board on its own motion is authorized by Water Code section 13320, subdivision (a). The authority to initiate own motion review is not a power the State Water Board reserved to itself and may be exercised by the Executive Director pursuant to the Board's general delegation. (State Water Board Res. 2002-0104.) It is the position of the State Water Board that no formal vote is required to authorize initiating own motion review. In an abundance of caution and to avoid further litigation and uncertainty, the State Water Board adopted Water Quality Order 2008-0004 ratifying own motion review on June 3, 2008, prior to the evidentiary hearing. The effective date for initiating own motion review is February 5, 2007.