

STATE WATER RESOURCES CONTROL BOARD  
BOARD MEETING SESSION – DIVISION OF FINANCIAL ASSISTANCE  
SEPTEMBER 18, 2007

**ITEM 3**

**SUBJECT**

CONSIDERATION OF AUTHORIZATION TO ALLOCATE \$1,420,000 FROM THE CLEANUP AND ABATEMENT ACCOUNT (CAA) TO THE SAN GABRIEL BASIN WATER QUALITY AUTHORITY FOR THE J.A.B. HOLDINGS, BOZUNG SITE GROUNDWATER CLEANUP PROJECT

**DISCUSSION**

The San Gabriel Basin Water Quality Authority (Authority), with the support of the Los Angeles Regional Water Quality Control Board and Department of Toxic Substances Control (DTSC), requests \$1,420,000 from the State Water Resources Control Board's (State Water Board) CAA to cleanup the groundwater beneath an orphan site that contains significant concentrations of 1,4-dioxane and volatile organic compounds (VOCs). The site is located in the South El Monte Operable Unit of the San Gabriel Valley in Los Angeles County. The former J.A.B. Holdings, Bozung Site is up gradient from 22 drinking water wells that serve a population of over 84,000.

The Authority was created by the State Legislature to facilitate groundwater cleanup in the San Gabriel Basin. The cleanup is a joint effort between the Authority, DTSC and the U.S. Environmental Protection Agency (U.S. EPA).

Other funds are not available for this cleanup. Generally, U.S. EPA pursues cost recovery from potentially responsible parties (PRPs) in the basin to pay for the cleanup. The South El Monte Operable Unit has a large funding gap because many of the PRPs have limited financial wherewithal, and thus will only be able to pay a fraction of the cleanup costs, or in some cases, pay nothing at all. Other businesses are no longer in existence. Moreover, any funds paid to U.S. EPA by PRPs for the South El Monte Operable Unit may only be used for cleanup projects outlined in U.S. EPA's Record of Decision for the South El Monte Operable Unit. Since the removal of 1,4-dioxane is not included in this Record of Decision, it cannot be funded with money collected from the PRPs. No PRP has been identified for the 1,4-dioxane.

The requested allocation is consistent with the purposes of Water Code section 13442. Water Code section 13442 provides that the State Water Board may order moneys to be paid from the CAA to a public agency, such as the San Gabriel Basin Water Quality Authority, with authority to cleanup or abate the effects of a waste in order "to assist [the public agency] in cleaning up the waste or abating its effects on waters of the state."

**POLICY ISSUES**

Should the State Water Board approve \$1,420,000 from the CAA for the J.A.B. Holdings (Bozung site) Groundwater Cleanup Project?

**FISCAL IMPACT**

The CAA has an uncommitted balance of \$6,900,000. Approving \$1,420,000 for this Project will leave an uncommitted balance of \$5,480,000 in the CAA.

**REGIONAL BOARD IMPACT**

This item has the support of the Los Angeles Regional Water Quality Control Board.

**STAFF RECOMMENDATION**

That the State Water Board approve the San Gabriel Basin Water Quality Authority request for \$1,420,000 from the CAA for the J.A.B. Holdings (Bozung site) Groundwater Cleanup Project.

# DRAFT

## STATE WATER RESOURCES CONTROL BOARD RESOLUTION NO. 2007 -

### AUTHORIZATION TO ALLOCATE \$1,420,000 FROM THE CLEANUP AND ABATEMENT ACCOUNT (CAA) TO THE SAN GABRIEL BASIN WATER QUALITY AUTHORITY FOR THE J.A.B. HOLDINGS (BOZUNG SITE) GROUNDWATER CLEANUP PROJECT

#### WHEREAS:

1. The San Gabriel Basin Water Quality Authority (Authority) requests \$1,420,000 from the State Water Board's CAA to cleanup the groundwater beneath an orphan site that contains significant concentrations of 1,4-dioxane and volatile organic compounds (VOCs). The site is located in the South El Monte Operable Unit of the San Gabriel Valley in Los Angeles County.
2. The Bozung Site is up gradient from 22 drinking water wells that serve a population of over 84,000.
3. The Los Angeles Regional Water Quality Control Board and Department of Toxic Substances Control (DTSC) support the project.
4. The Authority was created by the State Legislature to facilitate groundwater cleanup in the San Gabriel Basin. The cleanup is a joint effort between the Authority, DTSC and the U.S. Environmental Protection Agency (U.S. EPA).
5. Other funds are not available for this cleanup.
6. The requested allocation is consistent with the purposes of Water Code section 13442. Water Code section 13442 provides that the State Water Board may order moneys to be paid from the CAA to a public agency, such as the Authority, with authority to cleanup or abate the effects of a waste in order "to assist [the public agency] in cleaning up the waste or abating its effects on waters of the state."

#### THEREFORE BE IT RESOLVED THAT:

The State Water Resources Control Board approves \$1,420,000 to the San Gabriel Water Quality Authority from the CAA for the J.A.B. Holdings (Bozung site) Groundwater Cleanup Project.

#### CERTIFICATION

The undersigned, Acting Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on September 18, 2007.

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Jeanine Townsend  
Acting Clerk to the Board