

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION**

**CLEANUP AND ABATEMENT ORDER NO. 88-42
AGAINST
CLAYTON FAIRCHILD
Winterhaven, Imperial County**

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

1. Clayton Fairchild (hereinafter referred to as the discharger), 904 Mehring Road, Winterhaven, California, 92283, is the owner of Coles Corner, a business establishment located at the above address.
2. An Underground Storage Tank Unauthorized Release Report was received in this office on October 8, 1987 indicating that an underground storage tank had leaked and affected the groundwater at Coles Corner.
3. By letter dated October 20, 1987 the discharger was requested to conduct a remedial investigation of the contamination and submit a technical report of the results to this office by December 15, 1987.
4. A preliminary technical report, prepared by Hess Geotechnical, was received in this office on January 8, 1988. The report indicates that the groundwater underlying Coles Corner is contaminated with petroleum hydrocarbons.
5. 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."
6. The discharger has caused, or permitted, the discharge of waste into the waters of the State, and created a condition of pollution.
7. The Water Quality Control Plan for the Colorado River Basin Region identifies the beneficial uses of the ground waters in the Yuma Hydrologic Unit as:
 - a. Municipal
 - b. Agricultural
8. Contamination of ground water with gasoline will significantly impair the beneficial uses of ground water.
9. This enforcement action is exempt from the California Environmental Quality Act pursuant to Section 15321, Chapter 3, Title 14 of the California Administrative Code.

IT IS HEREBY ORDERED, that pursuant to Section 13304 of Division 7 of the California Water Code, the discharger shall comply with the following:

1. Cleanup and abate the effects of the discharge of gasoline from the underground storage tank at Coles Corner located at 904 Mehring Road, Winterhaven, California.
2. By March 15, 1988 submit to this office a technical report containing the results of the complete subsurface investigation as requested in the Regional Board letter to the discharger, dated October 20, 1987.
3. Submit to this office a cleanup proposal, within a month of the submittal of said technical report, for recovery of the free product if present in the groundwater and extraction of the contaminated groundwater.

ORDERED BY:

Arthur Swajim
Executive Officer

January 28, 1988
Date