



## Los Angeles Regional Water Quality Control Board

December 8, 2014

Michael Carter, President  
Dole Food Company, Inc.  
c/o Patrick W. Dennis  
Gibson, Dunn & Crutcher LLP  
333 South Grand Avenue  
Los Angeles, CA 90071-3197

Douglas J. Weimer, Project Manager  
Shell Oil Products US  
20945 S. Wilmington Avenue  
Carson, CA 90810

**SUBJECT: TENTATIVE REVISED CLEANUP AND ABATEMENT ORDER PURSUANT TO CALIFORNIA WATER CODE SECTION 13304 CLEANUP AND ABATEMENT ORDER NO. R4-2011-0046**

**SITE: FORMER KAST PROPERTY TANK FARM LOCATED SOUTHEAST OF THE INTERSECTION OF MARBELLA AVENUE AND EAST 244TH STREET, CARSON, CALIFORNIA (SCP NO. 1230, SITE ID NO. 2040330, CAO NO. R4-2011-0046)**

Dear Mr. Carter and Mr. Weimer:

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) is the state regulatory agency responsible for overseeing the investigation and cleanup of sites in Los Angeles and Ventura Counties pursuant to the Porter-Cologne Water Quality Control Act (Porter-Cologne Act) and other applicable laws and regulations.

Pursuant to its authority, Deborah Smith, Chief Deputy Executive Officer of the Regional Board, issued Cleanup and Abatement Order R4-2011-0046 (2011 CAO) to Shell Oil Company (Shell). The 2011 CAO required, among other tasks, that Shell continue its investigation of the Site, conduct pilot tests, conduct a human health risk assessment, and prepare and submit for Regional Board approval a proposed remedial action plan (RAP), including a feasibility study regarding methods of remediation. Prior to issuance of the 2011 CAO, Shell requested that the Regional Board add the developers of the Site as responsible parties to the CAO, including Barclay Hollander Corporation (Barclay) and Dole Food Company, Inc. (Dole). The Regional Board declined to add the developers to the draft CAO at that time and issued the CAO to Shell only on March 11, 2011, but the CAO included a finding that the Regional Board would continue to investigate the need to name additional responsible parties.

On October 31, 2013, Paula Rasmussen, Assistant Executive Officer of the Regional Board, who supervises the Site Cleanup Program, issued a public notice providing the opportunity for interested persons to comment on proposed revisions to the 2011 CAO (Proposed Draft Revised CAO). The proposed revisions would add Barclay as a responsible party to the 2011 CAO. Ms. Rasmussen issued a subsequent public notice providing the opportunity for additional comments on the proposed revisions. Written comments outside the scope of the revisions were not accepted nor responded to. The law firm of Gibson Dunn on behalf of Barclay and Dole and the law firm of Morgan Lewis on behalf of Shell submitted timely comments.

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The Regional Board Site Cleanup Program staff has considered the comments received regarding the Proposed Draft Revised CAO. In response to those comments, the Regional Board Site Cleanup Program staff continues to propose to add Barclay as a responsible party to the 2011 CAO and has modified the Proposed Draft Revised CAO. The modified document is referred to as the Tentative Revised CAO. See Attachment.

The Regional Board Site Cleanup Program staff has prepared a Memorandum to Deborah Smith, Chief Deputy Executive Officer of the Regional Board, with numerous attachments, recommending that she issue the Tentative Revised CAO naming Barclay Hollander Corporation. A copy of the Memorandum is enclosed for your information. These documents and other data and reports for the Site are also available for your review at the Regional Board office and are also posted on the GeoTracker database: [https://geotracker.waterboards.ca.gov/profile\\_report.asp?global\\_id=T10000000228](https://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T10000000228).

**If you have any questions, please contact the project manager, Dr. Teklewold Ayalew at (213) 576-6739 ([tayalew@waterboards.ca.gov](mailto:tayalew@waterboards.ca.gov)), or Ms. Thizar Tintut-Williams, Site Cleanup Unit III Chief, at (213) 576-6723 ([twilliams@waterboards.ca.gov](mailto:twilliams@waterboards.ca.gov)).**

Sincerely,



Paula Rasmussen  
Assistant Executive Officer

**Attachment: Draft Tentative Revised Order**

**Enclosure: Memorandum to Deborah Smith from Samuel Unger dated December 8, 2014**

cc: [With Attachment and Enclosure]

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cc: [Without Enclosure]

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