



California Regional Water Quality Control Board

Santa Ana Region



Terry Tamminen
Secretary for
Environmental
Protection

3737 Main Street, Suite 500, Riverside, California 92501-3348
(909) 782-4130 • Fax (909) 781-6288
<http://www.swrcb.ca.gov/rwqcb8>

Arnold Schwarzenegger
Governor

April 8, 2004

Mr. Peter Nyquist
Weston, Benshoof, Rochefort, Rubalcava & MacCuish, LLP
333 South Hope Street, 16th Floor
Los Angeles, CA 90071

CONDITIONAL APPROVAL OF PROPOSED WORK PLAN FOR INITIAL PERCHLORATE INVESTIGATION AT FORMER BURN PIT – 2250 WEST LOWELL STREET, RIALTO, SAN BERNARDINO COUNTY

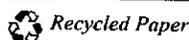
Dear Mr. Nyquist:

We have reviewed the November 13, 2003 submittal entitled "Work Plan for Initial Perchlorate Investigation, Former Burn Pit, 2250 West Lowell Street, Rialto, California." Kleinfelder submitted the work plan, in compliance with the Investigation Order that I sent to your client, Pyro Spectaculars, Inc., on November 6, 2002. Based on our staff's review, I approve the proposed work plan, provided that the site inspection and additional sampling points described below are implemented into the plan.

The Pyro Spectaculars facility occupies approximately 25 acres of leased land located in the north half of the southwest quarter of Section 21, Township 1 North, Range 5 West, San Bernardino Baseline and Meridian. According to Kleinfelder, Pyro Spectaculars, Inc. develops and produces pyrotechnic public display fireworks. The company purchases all of its pyrotechnical shells and stage products from international and domestic vendors and does not manufacture or modify pyrotechnical devices on-site. The facility consists of eleven on-site buildings and four buildings on the adjacent American Promotional Events, Inc.– West (APE) lease.

The former burn pit is located on the property of Rialto Concrete Products, Inc. (RCP) at 2250 West Lowell Street, and situated south of the APE lease property boundary. According to our records, the burn pit was approximately 20 feet wide by 20 feet long and 5 feet deep, and the bottom of the pit was reportedly lined with concrete. The pit was utilized historically for the disposal of waste from the manufacture of explosives and fireworks. Apollo Fireworks, Pyro Spectaculars, Inc., Red Devil Fireworks Company, and others used the former burn pit for disposal of wastewater, shells and powders during the 1970s and 80s, and possibly earlier. The pit was decommissioned in December 1987, under the supervision of the City of Rialto Fire Department. On November 6, 2003, Board staff visited the RCP facility with Mr. Gary Brown of Pyro Spectaculars, Inc. and Mr. Richard Orr of Kleinfelder. During this visit, RCP

California Environmental Protection Agency



representatives provided a tour of their facility. Mr. Jim Nelson of RCP showed Board staff the approximate location of the burn pit and described a closure burn that he witnessed, performed by the City of Rialto Fire Department at the burn pit, prior to its abandonment in December 1987.

According to Kleinfelder, Mr. Bob Souza, the former president of Pyro Spectaculars, Inc., was previously interviewed to seek additional information regarding the approximate location of the burn pit. Based on information obtained thus far by Kleinfelder, the abandoned burn pit is believed to be just below ground surface (bgs) at the current RCP facility. Its location may be more accurately identified through the use of historical aerial photographs. Specific comparisons will be made with existing geographic features and buildings that were also present in 1978, and are visible in a 1978 aerial photograph that Kleinfelder included in the work plan.

With the assistance of a survey contractor, Kleinfelder proposes to use triangulation, utilizing three or more transects, to determine the approximate location of the burn pit. The estimated location of the pit will be marked for further assessment in the field. Once marked, a geophysical contractor will attempt to identify the limits and orientation of the subsurface structure. The work plan proposes that, upon estimating the approximate limits of the burn pit, the proposed subsurface investigation locations will be marked at each of the four sides of the structure. The geophysical contractor will survey each of these locations for the presence of private utilities or other underground obstructions. Kleinfelder staff will evaluate heavy-equipment or drill rig accessibility at the proposed subsurface sampling locations.

Please note that, prior to any drilling or trench excavation attempts, the subject structure must be exposed by removing the soil and any other debris and equipment that overlies the structure. Once the entire structure has been exposed, and prior to conducting any excavation activities, we request that Kleinfelder staff contact Board staff to schedule an inspection of the former structure location. Board staff requests the opportunity to inspect the exposed concrete structure, and delineate additional sampling locations within the boundaries of the structure.

The proposed fieldwork for this investigation consists of collecting soil samples at four locations for perchlorate analysis. The soil at this locality is known to be very coarse-grained, including small to medium-sized boulders, interbedded with finer-grained soils. Excavation of trenches, using a wheel-mounted backhoe, is the proposed method of investigation in the areas of potential concern. The trenching method will allow for soil sampling at the edge of the excavation, near the former burn pit. Kleinfelder will attempt to obtain soil samples close to the edge or extending beneath the structure. One exploratory pothole trench is proposed along each of the four sides of the burn pit. The trenches will be excavated to total depths of 15 feet bgs. Soil samples will be collected at 5-foot intervals at 5, 10, and 15 feet bgs. Soil samples from the trenches will be collected from the shallow excavation or from the backhoe bucket using 2-inch

diameter by 6-inch long brass sleeves. Chemical analyses of soil collected during site investigations will be performed by a California-certified analytical laboratory, using USEPA Method 314.

We approve the proposed trenching, sampling, and analytical protocols, provided that the requested site inspection is arranged with Board staff, and that any additional sampling points, deemed necessary and accessible in the field, are included in the investigation. We also ask that, throughout the investigation, all available laboratory results be sent to us by fax as soon as the information is available. Our office fax number is (909) 781-6288.

The work plan did not include a proposed schedule for completing this project. Based on the content of the work plan, and our discussions with Kleinfelder regarding the scope of the proposed investigation, it appears that the final report can be available within eight weeks. Therefore, the due date for submittal of the investigation report, including laboratory results, a detailed description of the field activities, and any recommendations for further investigative work, is June 14, 2004.

Please be aware that the need for additional site investigation of the soil and groundwater will be evaluated once your proposed initial investigation phase has been completed and Board staff have reviewed and evaluated the soil sampling results. Please notify the following individuals at least 24 hours prior to all field work, to allow for inspection and oversight as needed: Kamron Saremi, RWQCB (909) 782-4303 and Wendy Arano, DTSC (714) 484-5480.

If you have any questions, please contact Kamron Saremi at the number listed above, or you may call Ann Sturdivant, Chief of our Spills, Leaks, Investigations and Cleanups Section, at (909) 782-4904.

Sincerely,



Gerard J. Thibeault
Executive Officer

cc: Jorge Leon, SWRCB, Office of Chief Counsel
Richard Orr, Kleinfelder
Jerry Cowden, Rialto Concrete Products, Inc.
Ken Thompson, KTI
Inland Empire Perchlorate Regulatory Task Force (mailing list attached)

KS: Rialto perchlorate/13267/pyroburnpit/workplanapproval

Robert Thompson
The Honorable Senator Nell Soto
822 N. Euclid Ave., Suite A
Ontario, CA 91762

The Honorable Senator Nell Soto
State Capital, Room 4078 P.O. Box 942848
Sacramento, CA 94248-0001

Anthony Araiza , Jerry Eagans & León Long
West Valley Water District
P.O. Box 920
Rialto, CA 92377-0920

Barry Groveman & Steve Ellie
Musick, Peeler & Garrett
624 S. Grand Ave., Suite 2000
Los Angeles, CA 90017-3383

Christine Brown, Wendy Arano and Aaron Yue
California Dept. of Toxic Substances Control
5796 Corporate Ave.
Cypress, CA 90630

Danielle Sakai Gene Tanaka
Best, Best & Kreiger
3750 University Ave., Mission Square
Riverside, CA 92501

Glen Yabuno & Ken Ayers
County of San Bernardino
Specialized Prosecutions Unit
412 W. Hospitality Lane, Ste. 301
San Bernardino, CA 92415-0023

Jorge Leon
California State Water Resources Control Board
Legal Division
1001 "I" Street, 22nd Floor
Sacramento, CA 95814

Kathleen Kenealy & Gary Tavetian
California Office of the Attorney General
Deputy Attorney General
300 S. Spring St., Ste. 500 N
Los Angeles, CA 90013-1204

Kevin P. Mayer
U.S. EPA, Region IX (Region 9)
75 Hawthorne Street, SFC-7-2
San Francisco, CA 94105-3901

Mike Bledsoe & Michael Wochnick
California Integrated Waste Management Board
P.O. Box 4025
Sacramento, CA 95812-4025

Mike Whitehead, Mike McGraw, Jim Bryson and Gerald J
Black
Fontana Water Company
P.O. Box 987
Fontana, CA 92335

Peter Fox, Tim Mim Mack & Robert Owen
City of Rialto
Public Works Department
150 S. Palm Avenue
Rialto, CA 92376

Sarah Mueller, Wayne Praskins & Matt Mitguard
U.S. EPA - Region 9
75 Hawthorne Street
San Francisco, CA 94105

Susan M. Trager & Francis D. Logan, Jr.
Law Offices of Susan M. Trager
19712 MacArthur Blvd., Ste. 120
Irvine, CA 92612

Tim Ryan & Robert Young
San Gabriel Valley Water Company
Fontana Water Company
11142 E. Garvey Ave.
El Monte, CA 91732

Tom Soto
PS Enterprises
3350 Ocean Park Blvd., Ste. 205
Santa Monica, CA 92405