CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD

San Francisco Bay Region

ORDER NO. 93-077

AMENDMENT OF SITE CLEANUP REQUIREMENTS CONTAINED IN ORDER NO. 92-024.

SALINAS REINFORCING, INC.; LOX EQUIPMENT COMPANY; LIVERMORE, ALAMEDA COUNTY, CALIFORNIA.

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter called the Board) finds that:

1. On February 19, 1992, the Board adopted Site Cleanup Order (SCO) No. 92-024, for cleanup and abatement of the pollution at 355 South Vasco Road, Livermore. The Order named, as waste dischargers, Salinas Reinforcing, Inc., Rosindo Salinas & Cora Salinas, John Erman & Cherie Erman, Donald Patchin & Sonya Patchin, Richard Martini, LOX Equipment Company, Union Rebar, Inc., Richmond-LOX Equipment Company, and Richmond-LOX Equipment Company dba LOX Equipment Company. The Board reserved the right to determine at a future date whether or not to include Richmond Tank Car Company (RTC) and/ or Minnesota Valley Engineering (MVE) as waste dischargers.

2. On March 10, 1992, the Board adopted Amendment of SCO No. 92-024 to name RTC and MVE as waste dischargers.

3. In response to several pending law Suits amongst the dischargers and other parties, a Settlement Conference was held on June 15-16, 1993, under the auspices of a Special Master, Mr. Gerald A. Cohn, who was appointed by the Federal District Court of California.

4. All parties to the Special Master's Order were present and/ or represented at the Settlement Conference, including Board Staff.

5. The parties agreed in a proposed settlement that a 1.1 million dollar Fund would be established to pay for investigation and cleanup of the petroleum hydrocarbon and Volatile Organic Chemical (VOC) pollution, as ordered by the Regional Board in SCO No. 92-024 as may be amended, at Salinas Reinforcing, Inc., located at 355 South Vasco Road, Livermore, California. The settlement is contingent upon the Board removing some of the parties from their discharger status in SCO No. 92-024.

6. The proposed settlement would provide timely and efficient cleanup of the pollution at 355 South Vasco, Livermore. Therefore, it is appropriate to remove certain parties named as waste dischargers in SCO No. 92-024. This amendment is conditioned upon establishment and operation of the Fund as proposed.

7. This action is an Order to enforce the laws and regulations administered by the Board. This action is categorically exempt from the provisions of the California Environmental Quality Act pursuant to Section 15321 of the Resource Agency Guidelines.

8. The Board, in a public meeting, heard and considered all comments pertaining to the discharge.

BE IT RESOLVED that pursuant to Water Code Section 13304, Site Cleanup Order No. 92-024 is hereby amended to name only Salinas Reinforcing, Inc., and LOX Equipment Company as waste dischargers.

BE IT FURTHER RESOLVED that pursuant to Water Code Section 13304, the waste dischargers are hereby notified that the Board is entitled to, and may seek reimbursement for, all reasonable costs actually incurred by the Board to investigate unauthorized discharges of waste and to oversee cleanup of such waste, abatement of the effects thereof, or other remedial action, required by this Order. Upon receipt of a billing statement of for such costs, the waste dischargers shall reimburse the Board.

July 21,1993

Steven R.Ritchie,
Executive Officer