

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

**CLEAN UP AND ABATEMENT ORDER NO. 88-64
AGAINST
COPLEY PRESS, INCORPORATED
Borrego Springs - San Diego County**

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

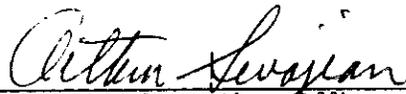
1. Copley Press, Inc., (hereinafter referred to as the discharger), 7776 Wanhoe Avenue, P. O. Box 1530, La Jolla, California 82038-1530, is the owner of La Casa Del Zorro, 3845 Yaqui Pass Road, Borrego Springs, California 92004.
2. The County of San Diego Hazardous Materials Management Unit (HMMU) by letter dated May 28, 1987 requested the discharger to conduct a preliminary subsurface investigation of the contamination and to submit a technical report with the results thereof.
3. A memorandum reporting the "Unauthorized Release of Hazardous Material from an Underground Storage Tank T#0660" was received in the Regional Board's office on June 1, 1987 indicating the discovery of a leaking unleaded gasoline tank system during a routine inventory audit. This memorandum was sent by the County of San Diego Hazardous Materials Management Unit.
4. An Underground Storage Tank Unauthorized Release Report was received in the Regional Board's office on June 15, 1987 indicating that an estimated 100 gallons of unleaded gasoline had leaked from a 550 gallon underground fuel tank at the site.
5. On August 14, 1987 an "Assessment of Soil Contamination Within Former Location of Underground Storage Tanks", prepared by WESTEC Services, Inc., was submitted to the HMMU. Said report indicated that further site characterization via borings would be necessary.
6. By letter dated August 31, 1987, HMMU requested the discharger to submit a technical report for the subsurface investigation at the subject facility.
7. The Unauthorized Release Subsurface Investigation Report prepared by WESTEC Services, Inc., was dated and received by HMMU in October 1987. Upon reviewing said report HMMU determined that ground water had been affected by the contamination on the site and notified the discharger by letter dated February 2, 1988 of the transfer of "lead agency" role to the Regional Board.
8. 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 by the regional board cleanup such waste or abate the effects thereof or, in the case of threatened pollution or nuisance, take other necessary remedial action."

5/17/94
cancel

9. The discharger has caused, or permitted, the discharge of waste into the waters of the State, and created a condition of pollution.
10. The Water Quality Control Plan for the Colorado River Basin Region identifies the beneficial uses of ground water in of the Anza-Borrego Hydrologic Unit as:
 - a. Municipal supply
 - b. Industrial supply
 - c. Agricultural supply
11. Contamination of ground water with gasoline will significantly impair the beneficial uses of the ground water.
12. This enforcement action is exempt from the California Environmental Quality Act pursuant to Section 15321, Chapter 3, Title 14 of the California Code of Regulations.

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 3845 Yaqui Pass Road, Borrego Springs, California.
2. By April 15, 1988 submit to the Regional Board a cleanup proposal for recovery of the free product in the ground water and extraction of the contaminated ground water.
3. The discharger shall submit monitoring reports of the progress of the cleanup as required by the Executive Officer.


Executive Officer


Date