



California Regional Water Quality Control Board

Santa Ana Region



Winston H. Hickox
Secretary for
Environmental
Protection

Internet Address: <http://www.swrcb.ca.gov/rwqcb8>
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Phone (909) 782-4130 - FAX (909) 781-6288

Gray Davis
Governor

*The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption.
For a list of simple ways you can reduce demand and cut your energy costs, see our website at www.swrcb.ca.gov/rwqcb8.*

September 18, 2003

Mr. Wong Chung Ming (a.k.a. Chung Ming Wong)
Tung Chun Company
Tung Chun Commercial Centre, 6/F
438-444, Shanghai Street
Mongkok, Kowloon, Hong Kong

NOTICE OF VIOLATION OF DIRECTIVE TO SUBMIT A WORK PLAN AND CONDUCT A PERCHLORATE INVESTIGATION IN THE VICINITY OF 3196 NORTH LOCUST AVENUE, CITY OF RIALTO, SAN BERNARDINO COUNTY, CALIFORNIA

Dear Mr. Wong:

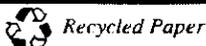
In my letter of June 13, 2003 (Investigation Order), I specified the requirements and deadline for submittal of a work plan for an investigation for perchlorate in soil and groundwater in the vicinity of your 160-acre property, located at 3196 Locust Avenue, North Rialto (Assessor's Parcel Nos. 0239-192-14, 0239-192-15, 0239-192-16, 0239-192-17, and 0239-192-18). This investigation was required pursuant to Section 13267 of the California Water Code.

Upon receipt of the Investigation Order, your representative, Mr. Denis Kwan of Monterey Park, California, contacted our staff and requested a meeting to discuss the Order. On June 24, 2003 your representatives, Mr. Kwan and Mr. Chan, met with Board staff, who provided background on the perchlorate contamination in the Rialto and Colton Groundwater Subbasins and information on the process of developing and implementing a work plan. At that time, Mr. Kwan indicated that he would proceed to hire a consultant to prepare a work plan for a soil and groundwater investigation at the 160-acre property. Mr. Kwan further indicated that it was his intent to work with you in obtaining a contractor so that you could meet the August 13, 2003 deadline for submittal of the work plan.

Our staff contacted Mr. Kwan by telephone on August 4, 2003 to determine the status of your work plan. During that conversation, Mr. Kwan indicated that you are no longer willing to comply with the Board's Order. Mr. Kwan submitted a letter to the Executive Officer of the Board, dated August 12, 2003, requesting an extension of the August 13 compliance deadline. The extension for an extension is hereby denied.

Please be advised that you are currently in violation of the Investigation Order and will remain so until the requirements specified in that Order are satisfied. In addition, you are subject to issuance of an administrative civil liability in the amount of up to \$1,000

California Environmental Protection Agency



per day beyond the August 13, 2003 deadline, for failure to submit the required work plan.

If you have any questions about this letter or would like to schedule a meeting to discuss this matter, please contact Kamron Saremi at (909) 782-4303, 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

Enclosure: Inland Empire Perchlorate Regulatory Task Force Mailing List

cc: Regional Board
Jorge Leon, Office of Chief Counsel, SWRCB
Inland Empire Perchlorate Regulatory Task Force
Mr. Victor Kwan, Mr. Denis Kwan

AES/Data/SLIC/2001-03 Rialto perchlorate13267/09-18-03 WongNOV