SDMS DOCID# 1137575

CALIFORNIA
Water Boards

EDMUND G. BROWN JR.
GOVERNOR

MATTHEW RODRIQUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Los Angeles Regional Water Quality Control Board

March 11, 2013

Mr. Eric Lardiere
General Counsel
Whittaker Corporation
1955 North Surveyor Avenue
Simi Valley, California 93063

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7011 2970 0000 0645 2055

Mr. Morton M. Kay
President
Gleason Industrial Products, Incorporated
10474 Santa Monica Boulevard, Suite 400
Los Angeles, California 90025

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7011 2970 0000 0645 2048

SUBJECT: REQUIREMENT FOR TECHNICAL REPORTS PURSUANT TO CALIFORNIA WATER CODE SECTION 13267 ORDER NO. R4-2013-0015

**SITE: FORMER TECHNIBILT CORPORATION;
WHITTAKER CORPORATION AND GLEASON INDUSTRIAL PRODUCTS, INCORPORATED
700 ALLEN AVENUE, GLENDALE, CALIFORNIA (FILE NO. 109.1036)**

Dear Mr. Lardiere and Mr. Kay:

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) is the public agency with primary responsibility for the protection of ground and surface water quality for all beneficial uses within major portions of the Los Angeles and Ventura Counties, including the referenced site.

Enclosed is a Regional Board Order for technical report requirements pursuant to California Water Code (CWC) Section 13267 Order No. R4-2013-0015 (Order).

Regional Board staff has reviewed technical information and historical documents contained in Regional Board files for the subject property. Based on our review, we have determined that an investigation is warranted due to the metal finishing operations once conducted by Technibilt Corporation (Technibilt) at 700 Allen Avenue, in the City of Glendale, California (the Site).

Regional Board records indicate that the Site was leased to Technibilt, a division of Whittar Industries, Limited (a subsidiary of Whittaker Corporation), who conducted metal fabrication/finishing operations at the Site between 1979 and 1985.

Our records also indicate that the operations outlined in the attached order occurred under the merged business entities of Gleason Corporation (alias Gleason Industrial Products Incorporated) and Whittaker Corporation. Therefore, both entities named herein are required to comply with the Order and prepare and submit a Subsurface Soil Investigation Workplan for the Site in order to evaluate the potential for groundwater contamination.

Should you have any questions related to this project, please contact Mr. Jeffrey Hu via telephone at (213) 576-6803 or via email at jeffrey.hu@waterboards.ca.gov.

Sincerely,

for Paul Rasmussen

Samuel Unger, P.E.
Executive Officer

Enclosure: California Water Code Section 13267 Order No. R4-2013-0015

cc: Ms. Lisa Hanusiak, USEPA Region IX
Mr. Leo Chan, City of Glendale
Mr. Bill Mace, City of Burbank Water Supply Department
Mr. Vahe Dabbaghian, Los Angeles Department of Water & Power
Mr. Milad Taghavi, Los Angeles Department of Water & Power
Mr. Richard Slade, ULARA Watermaster

ORDER TO PROVIDE A TECHNICAL REPORT FOR SUBSURFACE SOIL INVESTIGATION CALIFORNIA WATER CODE SECTION 13267 ORDER NO. R4-2013-0015

DIRECTED TO WHITTAKER CORPORATION AND GLEASON CORPORATION (ALIAS GLEASON INDUSTRIAL PRODUCTS, INCORPORATED)

WHITTAKER CORPORATION AND GLEASON INDUSTRIAL PRODUCTS, INCORPORATED (FORMER TECHNIBILT CORPORATION) 700 ALLEN AVENUE, GLENDALE, CALIFORNIA (FILE NO. 109.1036)

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) makes the following findings and issues this Order pursuant to California Water Code (CWC) section 13267.

1. The groundwater within the San Fernando Valley Groundwater Basin has been impacted by heavy metals, specifically chromium. As a result of the groundwater impacts, we are investigating potential sources of the contamination. The current investigation, led by the United States Environmental Protection Agency (USEPA) and the Regional Board, is focused on identifying individuals and companies responsible for the chromium contamination in the region and holding them responsible for the investigation and remediation of the affected Site. The above Site is located in the investigative area.

2. The subject property located at 700 Allen Avenue in the City of Glendale, California (the Site) was formerly owned and operated by Peterson Baby Products (years of operation unknown), who maintained a metal finishing shop on-site. Regional Board files indicate that the Site was leased to Technibilt Corporation (Technibilt), a division of Whittar Industries, Limited (Whittar). In 1978, Technibilt merged into Gleason Corporation (alias Gleason Industrial Products, Incorporated). In 1981, Gleason Corporation sold the Technibilt business to Whittar, a subsidiary of Whittaker Corporation. Technibilt has specialized in metal fabrication/finishing and manufacturing of shopping carts since 1946. Technibilt occupied the Site and assumed operation of the metal finishing shop from 1979 to 1985. The metal finishing processes involved the use of various chemicals such as solvents, acids, and electrolyte solutions which could impact groundwater quality, if released to the subsurface environment. There is no documentation indicating the quantity of the chemicals used and/or stored at the Site during the metal finishing operations conducted by Peterson Baby Products or Technibilt, nor is there any documentation that any subsurface soil investigation for metals was performed. Therefore, the potential discharge and/or release of heavy metal compounds to the soils at the Site, as a result of the past metal finishing operations, have not been determined.

3. CWC section 13267(b)(1) states, in part: In conducting an investigation the Regional Board may require that any person who has discharged, discharges, or is suspected of having discharged or, discharging, or who proposes to discharge waste within its region shall furnish, under penalty of

perjury, technical or monitoring program reports which the Regional Board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the Regional Board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.

4. Regional Board files indicate that metal finishing operations were conducted at the Site by Technibilt, between 1979 and 1985. The former Technibilt facility, located within the USEPA San Fernando Valley Superfund Site (Superfund Site), specialized in metal fabrication/finishing and manufacturing of shopping carts at the Site. It is known that groundwater within the Superfund Site, including the vicinity of the former Technibilt facility, is contaminated with volatile organic compounds (VOCs) and heavy metals, particularly chromium. The amount of chemicals used and stored for the metal finishing operations has not been disclosed to the Regional Board. To date, no subsurface heavy metals soil or groundwater investigation has been performed at the Site.

5. This Order identifies the Whittaker Corporation and Gleason Corporation (alias Gleason Industrial Products, Incorporated) as the entities responsible for the potential unauthorized discharge of waste identified in paragraph one (1) and two (2) because Technibilt, a division of Gleason Industrial Products, Incorporated and Whittaker Corporation, own or owned and/or operate or operated the activity that resulted in the potential discharge or waste.

6. This Order requires the persons/entities named herein to prepare and submit a Subsurface Soil Investigation Workplan (Workplan) in order to evaluate the conditions at the Site and determine if any unauthorized release of heavy metal compounds, specifically chromium, has impacted the soils beneath the Site that could consequently pose a threat to groundwater. You are expected to submit a complete Workplan, as required by this Order, to the Regional Board. The Regional Board may reject the Workplan if it is deemed not to be complete and/or require revisions to the Workplan under the issuance of this Order.

7. The Regional Board needs this information in order to determine the subsurface soil conditions at the Site as part of the efforts to identify sources of chromium contamination in the San Fernando Valley.

8. The burdens, including costs, of these reports bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. The information is necessary to assure adequate cleanup of the former Technibilt facility, which as described above potentially poses significant threats to public health and the environment.

9. The issuance of this Order is an enforcement action by a regulatory agency and is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15321(a)(2), Chapter 3, Title 14 of the California Code of Regulations. This Order requires submittal of technical and/or monitoring reports and Workplans. The proposed activities under the Workplan are not yet known. It is unlikely that implementation of the Workplan associated with this Order could result in anything more than minor physical changes

to the environment. If the implementation may result in significant impacts on the environment, the appropriate lead agency will address the CEQA requirements prior to implementing any Workplan.

10. Any person aggrieved by this action of the Regional Board may petition the State Water Resources Control Board (State Board) to review the action in accordance with Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at the following link:

    http://www.waterboards.ca.gov/public_notices/petitions/water_quality

    or will be provided upon request.

THEREFORE, IT IS HEREBY ORDERED that Whittaker Corporation and Gleason Corporation (alias Gleason Industrial Products, Incorporated) pursuant to section 13267(b) of the CWC, are required to submit the following:

1. A Subsurface Soil Investigation Workplan (Workplan) must be submitted by **April 12, 2013**. We are providing a guidance document entitled *"General Work Plan Requirements for a Heavy Metal Soil Investigation"* to assist you with this task. Additional information can be found in our guidance manual entitled "*Interim Site Assessment & Cleanup Guidebook (May1996),"* which can be found on the Internet at the following link:

    http://www.waterboards.ca.gov/losangeles/water_issues/programs/remediation/may1996_voc_guidance.shtml

2. The Workplan must contain a health and safety plan (HASP), as per the guidelines.

3. The Workplan shall include detailed information of former and existing chromium storage, hazardous waste management, and associated practices.

4. The Workplan must also include proposed soil sampling boring locations which shall extend to a minimum depth of 25 feet below ground surface in the areas of the previous metal finishing process and waste treatment (sumps, clarifiers, etc.), hazardous waste storage area, and chemical storage area.

The above item shall be submitted to:

Mr. Jeffrey Hu, P.E.
Senior Water Resources Control Engineer
Remediation Section
Los Angeles Regional Water Quality Control Board
320 West 4th Street, Suite 200
Los Angeles, California 90013
Phone: (213) 576-6803
Email: jeffrey.hu@waterboards.ca.gov

Pursuant to 13267(a) of the CWC, any person who fails to submit reports in accordance with the Order is guilty of a misdemeanor. Pursuant to section 13268(b)(1) of the CWC, failure to submit the required Workplan described above by the specified due date(s) may result in the imposition of administrative civil liability by the Regional Board in an amount up to one thousand dollars ($1,000) per day for each day the Workplan is not received after the above due date. These civil liabilities may be assessed by the Regional Board for failure to comply, beginning with the date that the violations first occurred, and without further warning.

The Regional Board, under the authority given by the CWC section 13267, subdivision (b)(1), requires you to include a perjury statement in all reports submitted under the 13267 Order. The perjury statement shall be signed by a senior authorized Whittaker Corporation or Gleason Industrial Products, Incorporated representative (not by a consultant). The perjury statement shall be in the following format:

> "I, [NAME], certify under penalty of law that this document and all attachments were prepared by me, or under my direction or supervision, in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

The State Board adopted regulations (Chapter 30, Division 3 of Title 23 & Division 3 of Title 27, California Code of Regulation) requiring the electronic submittal of information (ESI) for all site cleanup programs, starting January 1, 2005. Currently, all of the information on electronic submittals and GeoTracker contacts can be found on the Internet at the following link:

http://www.waterboards.ca.gov/ust/electronic_submittal.

To comply with the above referenced regulation, you are required to upload all technical reports, documents, and well data to GeoTracker by the due dates specified in the Regional Board letters and orders issued to you or for the Site. However, the Regional Board may request that you submit hard copies of selected documents and data in addition to electronic submittal of information to GeoTracker.

SO ORDERED.

for Paula Rasmussen

Samuel Unger, P.E.
Executive Officer

3-11-13
Date