SFUND RECORDS CTR
1851-04501

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

FEB 12 1993

GENERAL NOTICE LETTER
URGENT LEGAL MATTER -- PROMPT REPLY NECESSARY
CERTIFIED MAIL NO. P 389 855 471 -- RETURN RECEIPT REQUESTED

Charles Miller and Thalia Miller
18301 E. Arenth Avenue
City of Indsutry, CA 91748

Re: San Gabriel Valley Superfund Sites, Areas 1-4
Los Angeles County, California
Property located at: 18301 E. Arenth Avenue, City of Industry, CA 91748

Dear Mr. and Mrs. Miller:

NOTICE OF POTENTIAL LIABILITY

This letter notifies you of potential liability, as defined by Section 107(a) of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9607(a), as amended ("CERCLA"), that you may incur or may have incurred with respect to the San Gabriel Valley Superfund Sites ("Sites"). This letter also notifies you of potential response activities at the Sites which you may be asked to perform or finance at a later date.

The United States Environmental Protection Agency ("EPA") has documented the release or threatened release of hazardous substances, pollutants, or contaminants at the Sites. EPA has spent, or is considering spending, public funds on actions at the Sites. Unless EPA reaches an agreement under which a potentially responsible party or parties ("PRPs") will properly perform or finance such actions, EPA may perform these actions pursuant to CERCLA § 104, 42 U.S.C. § 9604.

Under Sections 106(a) and 107(a) of CERCLA, 42 U.S.C. §§ 9606(a) and 9607(a), Section 7003 of the Resource Conservation and Recovery Act, 42 U.S.C. § 6973, as amended ("RCRA"), and other laws, PRPs may be obligated to implement response actions deemed necessary by EPA to protect the public health or welfare or the environment and may be liable for all costs incurred by the government in responding to any release or threatened release at the Sites. Such actions and costs may include, but are not limited to, expenditures for conducting a Remedial Investigation and Feasibility Study ("RI/FS"), a Remedial Design and Remedial Action("RD/RA") and other investigation, planning, response and enforcement activities.

Based on evidence collected during investigation of the Sites, EPA believes that you may be a PRP with respect to the Sites. PRPs under CERCLA include current and former owners and operators of property at the Sites, persons who arranged for the disposal of hazardous substances found at the Sites, or persons who accepted hazardous substances for transport to the Sites. By this letter, EPA notifies you of your potential liability with regard to this matter and encourages you to voluntarily perform or finance those response activities that EPA determines are necessary at the Sites.

In accordance with CERCLA and other authorities, EPA has already undertaken certain actions and incurred certain costs in response to conditions at the Sites. EPA may expend additional funds for response activities at the Sites under the authority of CERCLA and other laws.

SITE RESPONSE ACTIVITIES

At present, EPA is planning to conduct, or has already conducted, either independently or in conjunction with the California Regional Water Quality Control Board - Los Angeles Region ("RWQCB") and/or other agencies, the following activities at the Sites:

1. Remedial investigations of sources of contamination and the extent of soil and ground water contamination at or in proximity to your facility and throughout the Sites.

2. Feasibility study of remedial alternatives (Richwood, Suburban, and Baldwin Park Operable Units).

3. RD/RA to design and implement the remedial action(s) selected and approved by EPA for the Sites (Richwood Operable Unit).

4. Follow-through activities to operate, maintain, and monitor the completed remedial action(s) as required at the Sites after completion of the remedial design and action (Richwood Operable Unit).

With regard to (1) above, pursuant to Section 3013 of RCRA, 42 U.S.C. § 6934, and/or Sections 104 and 106 of CERCLA, 42 U.S.C. §§ 9604 and 9606, PRPs at the Sites are responsible for investigations and remedial actions concerning not only releases or threatened releases of hazardous substances from their own facilities, but also the area wide ground water contamination. EPA has specific authority under CERCLA to require PRPs to conduct investigations and provide information regarding releases or threatened releases of hazardous substances.

In the event that contamination is continuing to be released or threatened to be released from your facility, EPA believes that it would be prudent to initiate and complete these investigations as soon as possible. If you are under investigation by the RWQCB you should continue to cooperate with their investigative activities.

SPECIAL NOTICE AND NEGOTIATION MORATORIUM

You may receive additional EPA notices in the future. These notices will inform you that EPA is using the CERCLA Section 122(e) "Special Notice" procedures to formally negotiate terms of a consent agreement to conduct or finance site response activities or it will inform you that EPA is not using this procedure. If EPA does not use the Special Notice procedures set forth in CERCLA Section 122(e), the notice will specify that Special Notice was inappropriate in this case.

Under Section 122(e), EPA has the discretionary authority to use the Special Notice procedures if EPA determines that such procedures would facilitate an agreement between EPA and the PRPs and would expedite remedial action at the Sites. Use of the Special Notice procedures triggers a moratorium on certain EPA activities at the Sites. The purpose of the moratorium is to provide a period of time when PRPs and EPA may enter into formal negotiations for PRP conduct or financing of the response activities at the Sites.

If EPA determines that a good faith offer has not been submitted within the first 60 days of the moratorium period, EPA may terminate the negotiation period under CERCLA Section 122(e)(4). EPA is then authorized to commence such clean-up or enforcement actions as it deems appropriate. In the absence of an agreement with the PRPs to perform or finance the necessary clean-up activities, EPA may undertake these activities and pursue cost reimbursement from the PRPs.

INFORMATION TO ASSIST POTENTIALLY RESPONSIBLE PARTIES

To assist the PRPs in preparing a proposal and in negotiations concerning this matter, EPA is providing as an attachment to this letter a list of names and addresses of PRPs to whom this notification is being or has been sent. This list has been divided to distinguish Puente Valley PRPs from the remaining Basinwide PRPs. This list represents EPA's preliminary findings on the identities of PRPs. Inclusion on, or exclusion from, this list does not constitute a final determination by EPA concerning the liability of any party for the release or threatened release of hazardous substances at the Sites. EPA may update this list at any time. You may wish to contact EPA periodically to inquire about any such update and to receive an updated list.

PUENTE VALLEY OPERABLE UNIT

EPA plans to issue Special Notice to selected Puente Valley PRPs in March of 1993. EPA anticipates that Puente Valley PRPs will be requested to conduct a Remedial Investigation/Feasibility Study (RI/FS) which will characterize the nature and extent of groundwater contamination and will evaluate potential contaminant migration control actions at the western Puente Valley.

PRP STEERING COMMITTEE

EPA recommends that all PRPs meet to select a steering committee responsible for representing the group's interests. Establishing a manageable group is essential for successful negotiations with EPA. Alternatively, EPA encourages all PRPs to select one person from their company or organization who will represent their interests.

ADMINISTRATIVE RECORD

Pursuant to Section 113(k) of CERCLA, EPA has established an administrative record file that contains documents that will form the basis of EPA's decision on the selection of a response action(s) for the Sites. This administrative record is open to the public for inspection and comment.

In addition, when the San Gabriel Valley Superfund Project began, EPA established eleven (11) information repositories at various locations around the San Gabriel Valley. These eleven (11) repositories have been divided into four (4) primary and seven (7) secondary repositories. The primary repositories contain a comprehensive collection of public documents prepared for the project. The secondary repositories contain fact sheets and those documents specifically relevant to the community where the repository is located.

The primary repositories are:

1. Baldwin Park Public Library
   4181 Baldwin Park Blvd.
   Baldwin Park, CA 91706
   (818) 962-6947

2. Upper San Gabriel Valley Municipal Water District
   11310 East Valley Blvd.
   El Monte, CA 91731
   (818) 443-2297

4. The University Research Library
   University of California - Los Angeles
   405 Hilgard Avenue.
   Los Angeles, CA 90024
   (213) 825-3135

The secondary repositories are:

1. Alhambra City Library
   410 West Main Street
   Alhambra, CA 91801
   (818) 570-5008

2. San Gabriel Valley Municipal Water District
   549 East Sierra Madre Blvd.
   Azusa, CA 91702
   (818) 969-7911

3. El Monte Library
   3224 North Tyler Avenue
   El Monte, CA 91731
   (818) 444-9506

4. West Covina Public Library
   1601 West Covina Parkway
   West Covina, CA 91790
   (818) 962-3541

5. Hacienda Heights Public Library
   16010 La Monde Street
   Hacienda Heights, CA 91745
   (818) 968-9356

6. Whittier Central Public Library
   7344 South Washington Street
   Whittier, CA 90602
   (213) 698-8949

7. Norwood Public Library
   4550 North Peck Road
   El Monte, CA 91732
   (818) 443-3147

PRP RESPONSE AND EPA CONTACT

You should notify EPA in writing within thirty (30) days of your receipt of this letter of your willingness to conduct or finance response activities at the Sites and to participate in possible future negotiations. If you are a member of a steering committee you may respond to this letter through your steering committee. If EPA does not receive a timely response, EPA will assume that you do not wish to negotiate a resolution of your liabilities in connection with the response activities at the Sites, and that you have declined any involvement in performing the response activities. You may be held liable by EPA under Section 107 of CERCLA for the cost of any investigative and clean-up activities EPA performs at the Sites.

In your response to this letter, please indicate the appropriate name, address, and telephone number for further contact. If you are already involved in discussions with state or local authorities (e.g. RWQCB), engaged in voluntary clean-up action, or are involved in a lawsuit regarding this Sites, you should continue such activities as appropriate. This letter is not intended to advise you or to direct you to restrict or to discontinue any such activities; however, you are advised to report the status of those discussions or actions in your response to this letter, and to provide a copy of the response to any other parties involved in those discussions or actions.

Your response to this letter should be sent to:

Phillip Ramsey (H-6-4)
South Coast Groundwater Section
United States Environmental Protection Agency
75 Hawthorne Street
San Francisco, CA 94105

If you or your attorney have any legal questions pertaining to this matter, please direct such questions to Mark Klaiman, Assistant Regional Counsel at (415) 744-1374.

Sincerely yours,

for David B. Jones, Chief
Superfund Remedial Action Branch

Attachments

cc: Robert Ghirelli, Executive Officer
Los Angeles Regional Water Quality Control Board

Phillip Ramsey, U.S. EPA

Mark J. Klaiman, Assistant Regional Counsel, U.S. EPA

1851- 04501

Is your RETURN ADDRESS completed on the reverse side?

SENDER:
- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Charles Miller and Thalia Miller
18301 E. Arenth Avenue
City of Industry, CA 91748

4a. Article Number
P 389 855 471

4b. Service Type
☐ Registered ☐ Insured
☑ Certified ☐ COD
☐ Express Mail ☐ Return Receipt for Merchandise

7. Date of Delivery
2-17

5. Signature (Addressee)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature (Agent)

PS Form 3811, December 1991 ☆ U.S.G.P.O.: 1992-307-530 **DOMESTIC RETURN RECEIPT**

Thank you for using Return Receipt Service.