CCAEJ Center for Community Action and Environmental Justice

March 5, 2015

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U.S. Environmental Protection Agency

Kathleen Johnson, Director of Enforcement
U.S. Environmental Protection Agency

Nicole Moutoux, Brownfields/Assessment, Superfund Division
U.S. Environmental Protection Agency,

Mathy Stanislaus, Assistant Administrator, Office of Solid Waste & Emergency Response
U.S. Environmental Protection Agency,

Matt Rodriquez, Secretary
California Environmental Protection Agency

Barbara Lee, Director
Department of Toxic Substances Control

Kurt Berchtold, Acting Executive Officer
Santa Ana Regional Water Quality Control Board

Jeff Brandt, Director of Wildlife
California Department of Fish and Wildlife

Barry Wallerstein, Executive Director
South Coast Air Quality Management District,

The Center for Community Action and Environmental Justice is writing in urgency to bring to your attention concerns regarding Riverside Agriculture Park. Currently, this site is moving toward building homes on this contaminated land which we believe has not been adequately characterized and appropriately remediated. We request your immediate investigation into this critical and urgent situation. And that all activities be stopped until a full investigation is completed and all investigation under the appropriate federal and state regulations have been completed.

The Riverside Agriculture Park was formerly part of Camp Anza, a WWII era training and staging ground for army troops. Sometime during World War II, the U.S Army constructed and operated a sewage treatment plant ("Plant") on the site. Following the end of World War II, ownership of the Plant was taken over by several now-defunct community district organizations and the service area for the Plant expanded to include Rohr as an industrial user and commercial and residential customers located in the vicinity of the site. The treatment plant accepted waste from industrial, commercial, and residential customers after the war. The City took over the

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ownership of the site in 1962 and closed the plant in 1965. The City continuously owned the site from 1962- May, 2006. This document presents a list of environmental issues involving the remedial excavation activities conducted to remove and dispose of soil containing compounds of concern, including PCBs. The urgency in this matter is that a spill occurred in June, 2003 and a Voluntary Clean Up Action was planned. The consultant reports for the Agriculture Park Clean Up did not include the 10,000 gallon spill of PCB contaminated sludge which occurred June, 2003 or the 40,000 gallons of PCB contaminated sludge which was illegally transported to the new Acorn Sewer Treatment Plant in July of 2003. This is just one of many violations that occurred during the clean-up phase that is mentioned below.

The Riverside Agricultural Park (Envirostor#: 3349007) Voluntary Clean up did not properly address the items below thus endangering the residents, public and the environment.

1. Camp Anza (FUDS#: J09CA0267) (Envirostor#: 3397009) lists the Riverside Agricultural Park Sewer Treatment Plant, waste-sewage treatment ponds as a Formerly Used Defense Site(FUD#J09CA0267) which has potential ordinance, exploisves (UXO, MES) and chemical warfare material contamination; this site is listed as inactive and has not been investigated or characterized by the Camp Anza lead agency, the Santa Ana Regional Water Board; California Regional Water Quality Control Board, Army Corps.Of Engineers or DTSC. This presents a grave threat to the residents living on three sides of this property and to construction crews who are presently digging trenches for sewer pipes.
(Please note the sewer treatment plant and the waste-sewer treatment ponds were place under FUDS#: J09LA026701

2. The groundwater is contaminated with PCBs, perchlorate, total lead, thallium, dioxin, and furans per consultant's reports. The Santa Ana Region, Regional Quality Control Board has listed the groundwater being under this site as beneficial use for domestic water.
Groundwater lab tests indicate PCB(Arochlor 1248) level ranging from 1ug/L – 19ug/L which is well above the maximum contaminant level (MCL) of .5ug/L. Total lead was detected at concentrations of 36.0 ug/L to 41.6ug/L in groundwater samples which is well above the "action level" for lead in groundwater of 15ug/L. Thallium was detected at a concentration of 23.3 ug/L in the groundwater sample which is well above the MCL of 2ug/L.
Groundwater was estimated to flow toward the north at an estimated gradient of 0.023 feet per foot on September 17, 2005; it should be noted that the groundwater flows directly into the Santa Ana River which is a primary source of drinking water for Orange County; this poses a real threat to degrading the river's water quality. (refer to Frey Environmental Report dated Oct. 11, 2005)

3. The voluntary clean up goal for PCBs was set at .22 mg/kg for soil on site; stormwater from this site will carry PCB contaminated soil into the Santa Ana River causing the degradation of a known domestic drinking water source.
Also, the site was not properly characterized according to Federal EPA SW846 grid sampling protocol. Areas of the property were not sampled and not all samples were tested for the full

range of contaminants such as metals, explosives, perchlorate, dioxin and furans are some of the most toxic chemicals known to science.

4. A survey of the residents surrounding the Ag Park indicates an elevated number of cancers which could indicate a cancer cluster. DTSC did not medically evaluate each resident for health issues before and after the clean-up; this should have been performed by a board certified M.D. Toxicologist.

5. Dust Monitoring logs indicate differential PM_{10} levels ranging from 51.0 ug/m3 to 275.3 ug/m3 for 13 days covering the period from July, 2013 – January, 2014. This exceeds the maximum health level of 50ug/m3 for PM_{10} set by AQMD Rule 403 thus causing the contamination of adjoining residential property and injuring the lungs of residents. This AQMD Rule 403 were not addressed by the consultants and DTSC never reported these violations to SCAQMD. The consultants identified the property as a Riverside City Disposal Site for excavated sidewalks and roadways but did not advise SCAQMD and submit "AQMD Rule 1150" excavation management plan. The consultants did not follow AQMD Rule 1150, they did not obtain Rule 1150 excavation permit; the consultants did send an action level for PCB contaminates of a PM_{10} of 7ug/m3 above which would indicate potentially elevated levels of PCBs in the air.
The PM_{10} levels were well above the 7ug/m3 for 53 days of the clean -up covering July, 2013-January, 2014, thus contaminating residential property and exposing the residents to PCBs. These violations of Rule 1150 were not submitted to SCAQMD by the consultants or DTSC; Rule 1150 requires the project to stop until SCAQMD approve mitigation measures.

6. Evidence indicates the Sewer Treatment Plant main sewer is contaminated with PCBs and should be removed and disposed as a TSCA waste. Riverside City identified ROHR as the source of the PCBs and identified them as the responsible party under CERCLA but did not inform Riverside County or DTSC of this fact. The pipeline from the sewer treatment plant back to ROHR(B.F. Goodrich) requires sampling and possible removal as a TSCA waste; also storm drain cross connections at ROHR (B.F. Goodrich) need to be identified.

7. No radiation survey as required at all Federal Superfund sites

8. A Riverside City legal document indicates that a city employee transported dirt from the Riverside Agriculture Park to specific offsite street locations from 1984 to 1987/1988, therefore contaminated soil may be present at these locations; this was not noted in any of the consultants reports or information submitted to Riverside County Environmental Health Department.

9. Consultant reports for the Agriculture Park did not address the 10,000 gallon spill of PCB contaminated sludge which occurred June, 2003 or the 40,000 gallons of PCB contaminated sludge which was illegally transported to the new Acorn Sewer Treatment Plant in July of 2003.

10. Concrete structures on site were not decontaminated according to TSCA requirements prior to demolition. Large amounts of concrete was crushed on-site and has been designated for use on-site; this crushed concrete requires testing according to TSCA procedures.

11. Decontamination/disposal of metals (pumps, piping) and wood parts was never addressed to TSCA requirements. What happened?

12. Consultant reports did not address a detailed review to identify backup diesel generators with diesel underground storage tanks, possible electrical transformer banks on-site. Who and how was the electricity supplied to the WWII Camp Anza Sewer Treatment Plant.

Request Summary:

We are requesting a full transparent investigation by DTSC inspection staff and criminal investigators, SCAQMD inspection staff and investigators and Santa Ana Region, Regions Water Quality Control Board, staff assigned to Camp Anza and investigators. Also,U.S. EPA Criminal investigators should be notified of the TSCA violations.
We are also requesting that the clean-up be referred to US EPA due to the FUDS listing and failure to abide by the Federal TSCA clean-up requirements. We would like to set up meetings with each agency to give copies of documentation and evidence.

Agencies and Identified City Council of Riverside:

We are currently arranging appointment times to meet with each agency to provide a more in-depth information to this serious environmental problem.
We are asking that each City Council identified in this document to contact CCAEJ directly and arrange for a time to meet.

CCAEJ Office #(951) 360-8451. Please ask to speak with Penny Newman or Jean Kayano.

Sincerely,

Penny Newman

Penny Newman, Executive Director

CCs: Barry C. Groveman, Esquire: Musick, Peeler & Garrett, LLP
Riverside City Council Members: Andy Melendrez; Mike Soubirous; Paul Davis;
Riverside City Manager: Lee McDougal