

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL COAST REGION
1102 A Laurel Lane
San Luis Obispo, California 93401

CLEANUP OR ABATEMENT ORDER NO. 85-163

concerning

PETER SCURICH AND/OR JOSEPH ODZAK
WATSONVILLE, SANTA CRUZ COUNTY

The California Regional Water Quality Control Board, Central Coast Region (hereafter Board), finds:

1. Mr. Joseph Odzak, 120 Maple Street, Watsonville, California, 95076, owns property located at 601 East Lake Avenue, Watsonville, California. The property was previously owned by Mr. Peter Scurich, 100 Bronson, Watsonville, California, 95076.
2. During his ownership, Mr. Peter Scurich operated a gasoline station on the property, with gasoline being stored in underground storage tanks.
3. On July 9, 1985, Board staff received a report from the Watsonville City Fire Department that a gasoline tank at 601 East Lake Avenue, Watsonville, had been discovered during removal operations to be leaky, and that soil samples collected from the excavation indicated highly contaminated soils were present to a depth of at least 12 feet below ground surface.
4. On July 23, 1985, Cleanup or Abatement Order No. 85-136 was issued for the improper discharge and ordered Mr. Scurich and/or Mr. Odzak to obtain forthwith the services of a registered engineer or certified engineering geologist (1) to determine the vertical and lateral extent of pollution of soils and ground water; and (2) to develop a remedial action plan and a suggested implementation timetable.
5. In response, the Board received Discharger's report, dated September 30, 1985, which included acceptable proposals for remedial action prepared by M. Jacobs & Associates.
6. The Board has not considered nor adopted waste discharge requirements for this facility.
7. The Water Quality Control Plan, Central Coastal Basin, (Basin Plan) was adopted by the Board on March 14, 1975, and approved by the State Water Resources Control Board on March 20, 1975. The Basin Plan incorporates statewide plans and policies by reference, including a nondegradation policy.

It also states: "No controllable water quality factor shall degrade the quality of any ground water resource or adversely affect long-term soil productivity."

8. Existing beneficial uses of ground water downgradient of the site include:

Domestic supply
Agricultural supply
Industrial supply

9. The Discharger, his agents or assigns, illegally discharged petroleum products, or allowed petroleum products to be discharged where they have, or could, enter waters of the State, and where they create, or threaten to create, a condition of pollution as defined in the California Water Code.
10. Section 13304 of the California Water Code provides that the Regional Board may order any person discharging, or permitting waste to be discharged, into waters of the State, under conditions like those in Finding No. 3, above, to cleanup the waste or abate the effects thereof, or in the case of threatened pollution or nuisance, take other necessary remedial action.
11. This enforcement action is being taken for the protection of the environment and as such is exempt from the provisions of the California Environmental Quality Act (Public Resources Code Section 21000, et seq.) in accordance with Section 15321, Chapter 3, Title 14, California Administrative Code.

IT IS HEREBY ORDERED, pursuant to section 13304 of the California Water Code, Peter Scurich and/or Joseph Odzak, their agents or assigns, shall cleanup or abate the effects of discharge of petroleum products at 601 East Lake Avenue, Watsonville, as follows:

1. Ground water cleanup operations shall begin no later than December 2, 1985.
2. Submit a report to the Board by December 20, 1985, detailing when ground water extraction began.
3. Ground water cleanup levels shall be as follows:

Constituent	Maximum Residual Concentration (mg/l)
Benzene	0.07 mg/l
Toluene	10.0 mg/l
Xylene	62.0 mg/l
Total Hydrocarbons	20.0 mg/l
Lead	0.5 mg/l

4. Quarterly interim progress reports should be submitted to the Board during the cleanup beginning in March, 1986.

If, in the opinion of the Executive Officer, Peter Scurich and/or Joseph Odzak fails to comply with the provisions of this order, it shall constitute adequate grounds to assess monetary penalties directly, pursuant to Section 13323 of the California Water Code, or to request the Attorney General to take appropriate enforcement action pursuant to California Water Code Section 13304 and/or Section 13350.

I, KENNETH R. JONES, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Coast Region, on November 8, 1985.


Executive Officer