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CALIFORNIA STATE WATER RESOURCES CONTROL BOARD
LOS ANGELES REGION

IN THE MATTER OF THE REVIEW OF
TECHNICAL REPORT AND REQUIREMENT
FOR ADDITIONAL ASSESSMENT WORK
PLAN PURSUANT TO CALIFORNIA
WATER CODE SECTION 13267 ORDER NO.
R4-2018-0032

PETITION FOR REVIEW

CraneVeyor Corp. ("CraneVeyor" or "Petitioner") hereby files this Petition for Review (the "Petition") and requests a hearing by the State Water Resources Control Board ("State Board") of a November 4, 2024 "REVIEW OF TECHNICAL REPORT AND REQUIREMENT FOR ADDITIONAL WORK PLAN PURSUANT TO CALIFORNIA WATER CODE SECTION 13267 ORDER NO. R4-2018-0032" ("Review of Technical Report and Requirement for Additional Assessment Work Plan"). This Review of Technical Report and Requirement for Additional Assessment Work Plan was served on CraneVeyor on November 4, 2024. The Review of Technical Report and Requirement for Additional Assessment requests Petitioner to complete "additional" soil vapor sampling "within the mobile home park located east of the Site in close proximity to mobile homes to sufficiently evaluate the potential risk to the offsite residents." Petitioner has never conducted any previous soil vapor sampling within the mobile home park located to the east of the Site.

Previously, CraneVeyor had received and contested a December 6, 2023 "REQUIREMENT FOR A SECOND ROUND INDOOR AIR SAMPLING PURSUANT TO CALIFORNIA WATER CODE (CWC) SECTION 13267 ORDER NO. R4-2018-0032" ("Requirement for a Second Round Air Sampling"; issued on December 6, 2023, by the Executive Officer of the California Regional Water Quality Control Board, Los Angeles Region ("Regional Board"); a January 21, 2021 "CONDITIONAL APPROVAL OF SITE ASSESSMENT AND INDOOR AIR WORKPLAN AND AMENDMENT TO CALIFORNIA WATER CODE (CWC) SECTION 13267 ORDER NO. R4-2018-0032" ("Conditional Approval of Workplan") issued on January 21, 2021, by the Regional Board; and a "REVIEW OF TECHNICAL REPORT AND REQUIREMENT FOR AN ADDITIONAL SITE INVESTIGATION WORKPLAN" (the "Review of Technical Report" or "Review Letter") issued on January 21, 2020, by the Regional Board. Prior thereto, CraneVeyor had received and contested an Investigative Order No. R4-2018-0032, dated May 17, 2018, to Provide a Technical Report for Subsurface Investigation ("Order"). Petitioner had complied with the Order even though contesting it by submitting to the Regional Board its report from Langan Engineering and Environmental Services ("Langan") entitled "Summary of Findings - CraneVeyor Soil and

Soil Vapor Sampling Event, 1524 North Potrero Avenue, South El Monte, CA 91733, Langan Project No.: 700063501”, dated September 20, 2019 (the “September 20, 2019 Langan Report”), in full compliance with the Order, on September 20, 2019. This petition for review is filed pursuant to the United States Constitution, the California Constitution, Water Code § 13320 and 23 CCR §§2050 *et. seq.*

A copy of the Review of Technical Report and Requirement for Additional Assessment Work Plan is attached to this Petition as Exhibit “A”, as well as Exhibit “A” to the Declaration of Gregory Bischoff, filed concurrently herewith.

A copy of the Order is attached hereto as Exhibit “B”.

Petitioner seeks a stay of and the placing in ABEYANCE of the Review of Technical Report and Requirement for Additional Assessment Work Plan at this time because the Review of Technical Report and Requirement for Additional Assessment Work Plan requires CraneVeyor to submit a workplan to propose additional soil vapor sampling offsite within the mobile home park, east to the Site. There are no events or circumstances that have occurred that give rise to any grounds for the Review of Technical Report and Requirement for Additional Assessment Work Plan. Furthermore, the Regional Board has no authority to require CraneVeyor to conduct this investigation because it has not discharged waste that could affect the quality of state waters. Such conduct is required by prior to ordering an investigation by CWC Section 13267(b).

As to the Review of Technical Report and Requirement for Additional Assessment Work Plan, Petitioner requests that the State Board conduct a formal adjudicatory hearing on the factual and legal assertions set forth in the Review of Technical Report and Requirement for Additional Assessment Work Plan, and determine whether any response by CraneVeyor to the Review of Technical Report and Requirement for Additional Assessment Work Plan is warranted or necessary.

I. Name and Address of Petitioner

Petitioner CraneVeyor Corp., a California corporation, can be contacted through its counsel of record, Randall S. Guritzky, Esq., 1524 North Potrero Avenue, South El Monte, CA 91733, Telephone: (626) 580-3275.

II. The State Board Action for Which This Petition For Review is Sought

The State Board action for which this petition is filed is the issuance of a document labeled “REVIEW OF TECHNICAL REPORT AND REQUIREMENT FOR ADDITIONAL ASSESSMENT WORK PLAN PURSUANT TO CALIFORNIA WATER CODE (CWC) SECTION 13267 ORDER NO. R4-2018-0032” issued by the Regional Board on November 4, 2024, and served on CraneVeyor on November 7, 2024. This Review of Technical Report and Requirement for Additional Assessment Work Plan is not labeled as an “Order” but CraneVeyor is filing this Petition in order to preserve any of its rights. There is a prior Order of the Regional Board (Exhibit “B”) that was the subject matter of a proceeding filed by Petitioner entitled *Craneveyor Corp. v. California Regional Water Quality Board, Los Angeles Region, etc., et al.*, Los Angeles Superior Court Case Number 18STCP02611, filed on or about October 17, 2018.

Petitioner complied with that Order even though contesting it by submitting to the Regional Board the September 20, 2019 Langan Report in full compliance with the Order, on September 20, 2019. The Regional Board has accepted this Report as complying with the Order. A true and correct copy of the September 20, 2019 Langan Report is attached as Exhibit “C” to the Declaration of Gregory Bischoff. As stated, the above-referenced lawsuit was resolved by the parties hereto by and through a request for dismissal.

Thereafter, CraneVeyor received a “REVIEW OF TECHNICAL REPORT AND REQUIREMENT FOR AN ADDITIONAL SITE INVESTIGATION WORKPLAN” (the “Review of Technical Report” or “Review Letter”) issued on January 21, 2020, by the Executive Officer of the California Regional Water Quality Control Board, Los Angeles Region (“Regional Board”).

Petitioner had complied with the Review Letter, even though contesting it was an Order, and further by submitting to the Regional Board its “CraneVeyor Preliminary Vapor Intrusion Assessment 1524 Potrero Avenue, South El Monte, CA Langan Project No.: 700063501”, in full compliance with the Order, on June 8, 2020. The Review Letter is not labeled as an “Order” but CraneVeyor filed its Petition in order to preserve any of its rights. The Review Letter of the Board was the subject matter of a proceeding filed by Petitioner entitled *Craneveyor Corp. v. California Regional Water Quality Board, Los Angeles Region, etc., et al.*, Los Angeles Superior Court Case Number 20STCP02272, filed on or about July 16, 2020, that was resolved by the parties, by and through a request for dismissal.

Attached to the Declaration of Gregory Bischoff as Exhibit “E” is the Langan “Technical Work Plan for Soil Vapor, Indoor Air, and Sub-Slab Vapor Assessment CraneVeyor, 1524 Potrero Avenue, South El Monte, CA, Langan Project No.: 700063502”, dated January 11, 2021, and sent to the Regional Board on January 11, 2021.

After sending the Langan Technical Work Plan dated January 11, 2021, to the Regional Board, CraneVeyor received and contested a January 21, 2021 “CONDITIONAL APPROVAL OF SITE ASSESSMENT AND INDOOR AIR WORKPLAN AND AMENDMENT TO CALIFORNIA WATER CODE (CWC) SECTION 13267 ORDER NO. R4-2018-0032” (“Conditional Approval of Workplan”).

The Conditional Approval of Workplan is not labeled as an “Order” but CraneVeyor filed its Petition in order to preserve any of its rights. The Conditional Approval of Workplan of the Board was the subject matter of a proceeding filed by Petitioner entitled *Craneveyor Corp. v. California Regional Water Quality Board, Los Angeles Region, etc., et al.*, Los Angeles Superior Court Case Number 21STCP01948, filed on or about June 18, 2021, that was resolved by the parties by and through a request for dismissal.

Petitioner had complied with the Conditional Approval of Workplan, even though contesting it was an Order, and further by submitting to the Regional Board its “Summary Letter – CraneVeyor Soil Gas, Sub-Slab Vapor, and Air Sampling Event, 1524 Potrero Avenue, South El Monte, CA Langan Project No.: 700063502”, on October 25, 2021 (“Langan October 25, 2021 Summary Letter”).

After sending the Langan October 25, 2021 Summary Letter to the Regional Board, CraneVeyor received and contested a December 6, 2023 “REQUIREMENT FOR A SECOND ROUND INDOOR AIR SAMPLING PURSUANT TO CALIFORNIA WATER CODE (CWC) SECTION 13267 ORDER NO. R4-2018-0032” (“Requirement for a Second Round Indoor Air

Sampling”). The Requirements for a Second Round Air Sampling is attached to the Declaration of Gregory Bischoff as Exhibit “I”. The Requirements for a Second Round Indoor Air Sampling of December 6, 2023, was the next event following the sending of the Langan October 25, 2021 Summary.

The Requirement for a Second Round Indoor Air Sampling was not labeled as an “Order” but CraneVeyor filed its Petition in order to preserve any of its rights. The Requirement for a Second Round Indoor Air Sampling of the Board was the subject matter of a proceeding filed by Petitioner entitled *Craneveyor Corp. v. California Regional Water Quality Board, Los Angeles Region, etc., et al.*, Los Angeles Superior Court Case Number 24STCP01402, filed on or about May 2, 2024, that was resolved by the parties, as Petitioner had complied with the Requirement for a Second Round Indoor Air Sampling rendering it moot, by and through a request for dismissal.

Petitioner had complied with the Requirement for a Second Round Air Sampling, even though contesting it was an Order, and further by submitting to the Regional Board its “CraneVeyor Additional Sub-Slab Vapor and Air Sampling Summary Letter, 1524 Potrero Avenue, South El Monte, CA Langan Project No.: 700063502”, on April 24, 2024 (“Langan’s Summary Letter dated April 24, 2024). The Langan Summary Letter dated April 24, 2024, is attached to the Declaration of Gregory Bischoff as Exhibit “J”. The Review of Technical Report and Requirement for Additional Assessment Work Plan of November 4, 2024, was the next event following the sending of Langan’s Summary Letter dated April 24, 2024.

III. The Date the State Board Acted.

The date of the State Board Executive Officer's issuance of the Review of Technical Report and Requirement for Additional Assessment Work Plan is November 4, 2024.

IV. Statement of the Reasons the Action is Inappropriate and Improper.

The statements of purported facts set forth in the Order, Letter Review, Conditional Review of Workplan, Requirement for a Second Round Indoor Air Sampling, and Review of Technical Report and Requirement for Additional Assessment Work Plan are incorrect and the issuance of the Order, Letter Review, Conditional Review of Workplan, Requirement for a Second Round Indoor Air Sampling, and Review of Technical Report and Requirement for Additional Assessment Work Plan are not authorized by the laws and regulations of this state. The State Board should review the evidence and determine whether circumstances warrant any further response by Petitioner, and, if so, the State Board should carefully set the boundaries for such response to avoid unnecessary time consumption, expenses, and costs.

Petitioner is filing this Petition for a hearing by the State Board of the Review of Technical Report and Requirement for Additional Assessment Work Plan served on CraneVeyor requiring Petitioner to conduct sampling and testing within the mobile home park to the east and prepare a technical report of its findings. This Petition is filed pursuant to the United States Constitution, the California Constitution, Water Code § 13320 and 23 CCR §§2050 et. seq.

There are no events or circumstances that have occurred that give rise to any grounds for the Review of Technical Report and Requirement for Additional Assessment Work Plan. Simply

put, there are no statutory grounds for the Board's issuance of the Review of Technical Report and Requirement for Additional Assessment Work Plan.

Prior to the State Board issuing the Review of Technical Report and Requirement for Additional Assessment Work Plan, in its January 21, 2021, Conditional Review of Workplan, the State Board stated that it considered the Workplan completed and approved it, but added several new conditions for which there was no basis. The Conditional Review of Workplan purported to require air sampling in a location that the State Board was an open building that did not require additional sampling; require analytic testing; required multiple rounds of sampling; required additional assessments and testing on-site and off-site for the on-site based upon the soil vapor data; required that the results be sent to the Office of Environmental Health Hazard Assessment for human health cancer risk evaluation, and possible additional assessment thereafter; and that a perjury statement from the Company be provided, not by Langan or any other consultant. The requests were unfounded, had no basis, and exceeded any reasonable requirements of the original Order, and findings from the Langan testing and reports that followed. The statements as to why the State Board requested CraneVeyor to provide an additional technical report for subsurface investigation, and indoor testing, lacked any statutory or regulatory basis.

As to the Conditional Approval of Workplan, the Regional Board states its review of the Langan October 25, 2021 Summary Letter indicates that benzene and chloroform were detected in the indoor air samples above the regulatory screening levels at maximum concentrations of 1.1 micrograms per meter cube ($\mu\text{g}/\text{m}^3$) and 2.3 $\mu\text{g}/\text{m}^3$, respectively. The State Board further states that other volatile organic compounds (VOCs) were also detected in the indoor air at concentrations below the screening levels.

Per the Office of Environmental Health and Hazard Assessment (OEHHA), a minimum of two rounds of indoor air and sub-slab vapor sampling are required to account for seasonal fluctuations of contaminant concentrations and to properly assess the risk posed by vapor intrusion to receptors.

As to the Exhibit "I" Requirement for a Second Round Indoor Air Sampling of December 6, 2023, the Regional Board states, once again, that its review of the Langan Summary Letter dated October 25, 2021, indicates that benzene and chloroform were detected in the indoor air samples above the regulatory screening levels at maximum concentrations of 1.1 micrograms per meter cube ($\mu\text{g}/\text{m}^3$) and 2.3 $\mu\text{g}/\text{m}^3$, respectively. It further states other volatile organic compounds (VOCs) were also detected in the indoor air at concentrations below the screening levels.

However, between April 3 and April 4, 2024, Langan conducted additional sub-slab vapor and air sampling at CraneVeyor. The findings of the sampling and testing are set forth in a report of Langan dated April 24, 2024, Exhibit "J" to the Declaration of Gregory Bischoff filed concurrently herewith, which was provided to the Regional Board.

The Langan Report of April 24, 2024, stated the following conclusions:

- Concentrations reported for sub-slab samples did not exceed the applicable ESLs for VOCs. All reported concentrations for chloroform, PCE, 1,1-DCE, VC, and TCE were below the applicable ESLs or were non-detect, indicating that these constituents are not migrating up to the slab or entering the office space at or above ESLs. Chloroform, which exceeded ESLs in the previous event in 2021, did not exceed ESLs for this event.

- Reported concentrations of benzene exceeded the ESL in both indoor and ambient air samples, while sub-slab vapor samples collocated with indoor air samples were below their respective ESL, indicating there is not a subsurface source.
- Reported concentrations for benzene in ambient and indoor air were all at the same order of magnitude.
- The Site is in a highly industrialized neighborhood and on a street that has high traffic involving tractor trailers . Benzene in ambient air can be produced by combustion engines and was detected in both air samples (AA-01 and AA-02).
- The door to the small single-use restroom (IA-01) is generally kept closed and the restroom is occupied only for short time periods.
- Benzene was not detected in the sub-slab vapor samples in the subsurface which indicates benzene is from the ambient outdoor air.

In its final conclusion, Langan states: “Based on the results described above, there is no risk posed by VOCs in soil vapor to occupants through vapor intrusion. **As such, Langan is requesting a letter of no further action for the Site.**”

The Review of Technical Report and Requirement for Additional Assessment Work Plan is not labeled as an “Order” but CraneVeyor filed its Petition in order to preserve any of its rights. As to the Review of Technical Report and Requirement for Additional Assessment Work Plan of November 4, 2024, the Regional Board states the Langan Report of April 24, 2024, the second of two rounds of sampling completed during the cold season. The first sampling event took place in September 2021, during the hot season. It further notes that numerous volatile organic compounds (VOCs) were detected during this investigation, including tetrachloroethene (PCE) and trichloroethene (TCE). None of the detections from the sub-slab vapor samples exceeded the San Francisco Bay Regional Water Quality Control Board (SFBRWQCB) commercial/industrial Environmental Screening Levels (ESLs). Benzene was detected in both indoor and ambient air samples above ESLs. Reported concentrations for benzene in indoor and ambient air samples were at the same order of magnitude. The Site is in a high traffic zone and the benzene detected could have been produced by combustion engines. Furthermore, benzene was not detected in sub-slab vapor samples, which indicates benzene is from the ambient outdoor air.

The Regional Board further states in its Review of Technical Report and Requirement for Additional Assessment Work Plan that, based on the results presented in this report and the first round of sub-slab and indoor and ambient air samples, Langan concluded there is no risk posed by VOCs in soil vapor to occupants through vapor intrusion and no further action is requested for this case.

The Regional Board further stated that the Los Angeles Water Board forwarded the last three assessment reports to the OEHHA for risk evaluation. OEHHA summarized and submitted its evaluation in a memo, dated August 2, 2024, and that OEHHA concluded offsite residential vapor intrusion risk estimates exceeded 1E-6 at all four soil vapor sample locations (SV-03, SV-05, SV-06, and SV-07) along the eastern property boundary across which residential properties are located. The “OEHHA memo of August 2, 2024” is attached as Exhibit “K” to the Declaration of Gregory Bischoff.

In the OEHHA memo of August 2, 2024, risk estimates are presented in scientific notation. For example, a cancer risk of 1 in a million (0.000001) is written as 1E-6. The acceptable risk level stipulated by the Water Board was 1 in 100,000 (1E-5) for worker exposure.

The OEHHA memo of August 2, 2024, contains the following conclusions:

- A 15-foot soil sample at SV-01 contained hexavalent chromium at a concentration of 4.7 µg/kg which is below the commercial/industrial ESL of 6.2 µg/kg. OEHHA agrees that the hexavalent chromium concentration is below the commercial/industrial ESL, but the rationale for sampling this one location is unclear.
- The vapor intrusion risk estimates based on 2019 soil gas data slightly exceed the stipulated threshold of 1E-5 at two locations; the HI (hazard index) slightly exceeds the threshold of 1 at one location.
- Vapor intrusion risk estimates for office workers based on sub-slab data from 2021 and 2024 are below the stipulated threshold of 1E-5. HIs are below the threshold of 1.
- Off-site residential vapor intrusion risk estimates exceed 1E-6 at all four soil gas sample locations. Off-site worker vapor intrusion risk estimates do not exceed 1E-5. HIs are less than 1.
- Inhalation risk estimates for office workers based on indoor air data from samples collected in 2021 and 2024 are below the stipulated threshold of 1E-5. HIs are less than 1. The major risk driver was benzene, which was detected in ambient air at concentrations comparable to indoor concentrations.

The OEHHA made no recommendations for action by CraneVeyor in its memo dated August 2, 2024.

The Review of Technical Report and Requirement for Additional Assessment Work Plan states Petitioner must perform offsite testing within the residential mobile home park to the east. The Regional Board is fully informed and aware that CraneVeyor has no right, title or interest to the mobile home park to the east, and there is no basis for CraneVeyor to conduct testing on the property. Attached to the Declaration of Gregory Bischoff as Exhibit “R” is a letter from CraneVeyor’s counsel dated November 14, 2024, stating in no uncertain basis its position as to any action taken to within the mobile home park of which Petitioner holds no right, title, or interest to the mobile home park (the “Guritzky November 14, 2024 Letter”). Even assuming, *arguendo*, such sampling and testing were possible, the requirement of CraneVeyor to sample and test within the mobile home park will create irreparable harm to Petitioner’s relationship with the mobile home park owners. Petitioner directed its counsel to send the Guritzky November 14, 2024 Letter to the Regional Board demanding a withdrawal of the Review of Technical Report and Requirement for Additional Assessment Work Plan for offsite testing as soon as possible. As of the date of this Petition, the Regional Board has not withdrawn the Review of Technical Report and Requirement for Additional Assessment Work Plan.

Despite the findings of the Langan April 24, 2024 Summary Letter, and with knowledge of the findings of the Langan April 24, 2024 Summary Letter, the Regional Board requested Review of Technical Report and Requirement for Additional Assessment Work Plan for offsite testing within the mobile home park to the east. There was no basis for the request.

In further support of this Petition, Petitioner has filed concurrently herewith the Declaration of Gregory Bischoff, an employee of CraneVeyor. This Declaration describes how CraneVeyor has not discharged waste in violation of California Water Code Section 13267. The Declaration of Gregory also describes in great detail the facts and documents supporting CraneVeyor’s position

as to the lack of any basis for this Review of Technical Report and Requirement for Additional Assessment Work Plan.

Attached to the Declaration of Gregory Bischoff as Exhibit “A” is the Review of Technical Report and Requirement for Additional Assessment Work Plan.

Attached to the Declaration of Gregory Bischoff as Exhibit “B” is the “Investigative Order No. R4-2018-0032, Order to Provide a Technical Report for Subsurface Investigation (“Order”) of May 17, 2018.” (“Order”).

Attached to the Declaration of Gregory Bischoff as Exhibit “C” is the “Summary of Findings - CraneVeyor Soil and Soil Vapor Sampling Event, 1524 North Potrero Avenue, South El Monte, CA 91733, Langan Project No.: 700063501”, dated September 20, 2019 (the “September 20, 2019 Langan Report”).

Attached to the Declaration of Gregory Bischoff as Exhibit “D” is the “REVIEW OF TECHNICAL REPORT AND REQUIREMENT FOR AN ADDITIONAL SITE INVESTIGATION WORKPLAN” (the “Review of Technical Report” or “Review Letter”) issued on January 21, 2020.

Attached to the Declaration of Gregory Bischoff as Exhibit “E” is the “CraneVeyor Preliminary Vapor Intrusion Assessment 1524 Potrero Avenue, South El Monte, CA Langan Project No.: 700063501”, in full compliance with the Review Letter, on June 8, 2020.

Attached to the Declaration of Gregory Bischoff as Exhibit “F” is Langan’s “Technical Work Plan for Soil Vapor, Indoor Air, and Sub-Slab Vapor Assessment CraneVeyor, 1524 Potrero Avenue, South El Monte, CA, Langan Project No.: 700063502”, dated January 11, 2021, and sent to the State Board on January 11, 2021.

Attached to the Declaration of Gregory Bischoff as Exhibit “G” is the “CONDITIONAL APPROVAL OF SITE ASSESSMENT AND INDOOR AIR WORKPLAN AND AMENDMENT TO CALIFORNIA WATER CODE (CWC) SECTION 13267 ORDER NO. R4-2018-0032” dated January 21, 2021.

Attached to the Declaration of Gregory Bischoff as Exhibit “H” is Langan’s “Summary Letter – CraneVeyor Soil Gas, Sub-Slab Vapor, and Air Sampling Event, 1524 Potrero Avenue, South El Monte, CA, Langan Project No.: 700063502”, dated October 25, 2021, and sent to the Regional Board on October 25, 2021.

Attached to the Declaration of Gregory Bischoff as Exhibit “L” is a soil-gas survey report from Transglobal Environmental Geochemistry (“TEG”) dated August 8, 1996. The Exhibit “L” Report shows that testing was performed at 11 locations, 10 of which at 5 feet depth and 1 of which at 10 feet depth. The test results were “non-detect”(“ND”) for 1,1,1-Trichloroethylene (“TCE”) and Perchloroethylene (“PCE”) at both depths, and 1,1,1-Trichloroethane (“TCA”) was ND at 5 feet depth, and only 2 ug/L at 10 feet depth. Thus, TEG determined that there was no threat to the groundwater and no need to perform additional soil or gas tests. In fact, as the report states, the groundwater was cleaner on the south side of Petitioner’s Property, downgradient, rather than the north side, which conclusively demonstrates that CraneVeyor’s soil is not impacted and is not contributing to any groundwater issues. Hence, the investigation confirmed the soil was not impacted at a depth of fifteen feet (15 ft.). CraneVeyor did not and could not have been a contributor to the ground water contamination.

Attached to the Declaration of Gregory Bischoff as Exhibit “M” is a report from the Regional Board dated December 19, 1996. The Exhibit “M” Report from the Regional Board concluded that, based on the results of the testing of the soil matrix, soil vapor, and groundwater investigation data, the Regional Board had **no further requirements** with respect to CraneVeyor related to the San Gabriel Valley Cleanup Program, that the soil had been only impacted from ground surface to the capillary fringe, and that soil cleanup would not be required based on its Interim Site Assessment and Cleanup Guidebook (May 1996).

Attached to the Declaration of Gregory Bischoff as Exhibit “N” is a Settlement Agreement of April 19, 2012, by and between the San Gabriel Valley Water Quality Authority, Golden State Water Company, Southern California Water Company, San Gabriel Water Company, and the City of Monterey Park, on the one hand, and Petitioner on the other hand, resolving all issues related to this Petition.

Attached to the Declaration of Gregory Bischoff as Exhibit “O” is Partial Consent Decree filed on May 15, 2012, in the Action where a settlement was reached between the United States Environmental Protection Agency (“EPA”) and the California Department of Toxic Substances Control (“DTSC”), on the one hand, and the Petitioner, on the other hand, resolving all issues related to this Petition.

Attached to the Declaration of Gregory Bischoff as Exhibit “P” are photographs taken of the site in 1969. The photographs taken in 1969 depict the area near the well at issue was completely paved over. There were never any manufacturing activities at or near the subject well referenced in the Order. Since then, the entire area has been re-paved (all of the wells) and always has remained so. CraneVeyor’s painting operations are all enclosed under a roof protected from the elements. The entire CraneVeyor facility is covered with impervious asphalt and sealed. There are no exposed areas, and no possibility that any of the named chemicals of concern could enter the ground.

Attached to the Declaration of Gregory Bischoff as Exhibit “Q” is the State of California DTSC-Cal/EPA Vapor Intrusion to Indoor Air Assessment guidance document flowchart.

In further support, Petitioner has also attached Exhibit “C” to this Petition, and incorporated herein, the Affidavit of Dorinda Shipman. Ms. Shipman is a certified hydrogeologist in this state and has reviewed the environmental tests and conditions at the CraneVeyor property.

Petitioner has never conducted any manufacturing whatsoever at or near the area subject to the Review of Technical Report and Requirement for Additional Assessment Work Plan.

There has been no Spill/Release at the property and there are no grounds for the requirements in the Review of Technical Report and Requirement for Additional Assessment Work Plan. CraneVeyor has never been shown by any means to be a contributor to the groundwater conditions in South El Monte. In fact, to our knowledge, CraneVeyor is the only entity to have received a No Further Requirements Report requiring no further soil remediation (to be clear, no soil remediation was ever required of CraneVeyor) at any time or means whatsoever, due to the fact that, after the testing by a third-party entity (TEG), the findings of which were provided to the Regional Water Board, the Regional Water Board concluded with a non-detect reading after a ten (10) – fifteen (15) in one small area due to an accidental surface spill that was of approximately five (5) gallons that was immediately cleaned up and could never have reached the groundwater in any way.

The Exhibit “B” Order had sought a work plan for assessment of the property for chemicals of

emerging concern, including hexavalent chromium and 1,4- dioxane. The Exhibit “C” September 20, 2019 Langan Report attached to the Declaration of Gregory Bischoff summarized the analytical results from the sampling event. The analytical results were compared to the commercial/industrial Environmental Screening Levels (ESLs) from the San Francisco Regional Water Quality Control Board (SF RWQCB) for human health cancer risk levels dated 2019. The Exhibit “C” September 20, 2019 Langan Report states that, consistently, soil samples near surface and 15 feet deep samples did not indicate pathways of concern.

Following receipt of the State Board Letter Review of January 21, 2020, and even though Petitioner had complied with the Order and Letter Review, on May 14, 2020, Langan undertook an investigation at CraneVeyor’s site consisting of a Preliminary Vapor Intrusion Assessment 1524 Potrero Avenue, South El Monte, CA, Langan Project No.: 700063501. Langan prepared a report (Exhibit “E”) of its findings dated June 8, 2020. Each room in the Office building was surveyed with the photoionization detector (“PID”). The maximum measured organic vapor concentration in the offices, cubicles, and conference room was 11 parts per billion (ppb) in an office with the occupant present. The office with the highest reading of 11 ppb had an occupant who had recently taken a lunch break in the lunchroom; therefore, it was determined that this employee likely used cleaning solution or hand sanitizer shortly before the reading was taken. Readings taken within 3 inches of the air conditioning vents were 0 to 1 ppb. The conclusion was reached that vapor intrusion did not appear to be a risk to office and commercial workers at the site.

Following receipt of the Conditional Approval of Workplan of January 21, 2021, and even though Petitioner had complied with the Order and Letter Review, on May 14, 2020, Langan undertook an investigation at CraneVeyor’s site consisting of a Soil Gas, Sub-Slab Vapor , and Air Sampling Event, 1524 Potrero Avenue, South El Monte, CA, Langan Project No.: 700063502. Langan prepared a report of its findings dated October 25, 2021. Between September 14 and 17, 2021, Langan conducted a soil gas, sub-slab vapor, indoor and ambient air sampling event at CraneVeyor. The findings of the sampling and testing are set forth in a report of Langan dated October 25, 2021, Exhibit “H” to the Declaration of Gregory Bischoff, which was provided to the Water Board and included, but were not limited to the following:

As to the soil vapor samples that were collected, none of the compounds analyzed in either sample exceeded the applicable ESLs.

As to the Sub-Slab Vapor samples, none of the compounds analyzed in either sample exceeded the applicable ESLs.

As to the indoor and ambient air samples, benzene was detected above the ESL of 0.42 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$ in both indoor air samples at concentrations of 0.45 $\mu\text{g}/\text{m}^3$ and 0.97 $\mu\text{g}/\text{m}^3$). However, benzene was also detected above the ESL in both ambient air samples at concentrations of 0.61 $\mu\text{g}/\text{m}^3$ and 0.56 $\mu\text{g}/\text{m}^3$, which were greater than one of the two indoor air samples, and less than the second of the two indoor air samples.

Chloroform was detected above the ESL of 0.53 $\mu\text{g}/\text{m}^3$ in both indoor air samples at concentrations of 2.3 $\mu\text{g}/\text{m}^3$ (in one of the samples) and 1.1 $\mu\text{g}/\text{m}^3$ (in the other sample). Chloroform has not been reported above applicable screening levels previously at the Site, and it is worth noting that both the bathroom and kitchen had recently been cleaned. The cleaning supplies contain bleach which when mixed with alcohol or acetone can form chloroform. In addition, both indoor air samples were taken near tap water sources, which tend to be chlorinated as a result of its treatment.

None of the other compounds analyzed in any of the samples exceeded the applicable ESLs.

Thus, the conclusions set forth in the Langan October 25, 2021 Summary Report were that concentrations reported for soil vapor and sub-slab samples did not exceed the applicable ESLs for VOCs. All reported concentrations for PCE, 1,1,1-Dichloroethylene (“1,1-DCE”), Vinyl Chloride (“VC”), and TCE were several orders of magnitude below the applicable ESLs or were non-detect, indicating that these constituents are not migrating up to the slab or entering the office space at or above ESLs. The concentrations of chloroform exceeded the ESL in indoor air samples; however, chloroform was non-detect in all collocated sub slab vapor samples. Areas where indoor air samples were located had recently used chlorine containing cleaning solutions and were nearby chlorinated tap water, which were the likely sources of the chloroform concentrations reported in indoor air samples.

Reported concentrations of benzene exceeded the ESL in both indoor and ambient air samples, while sub-slab vapor samples collocated with indoor air samples and the soil gas samples from this event were below their respective ESL, indicating there is not a subsurface source. Reported concentrations for benzene in ambient and indoor air were all at the same order of magnitude. The Site is in a highly industrialized neighborhood and on a street that has high traffic involving tractor trailers. Benzene in ambient air can be produced by combustion engines. Benzene was not detected in the sub-slab vapor or soil gas samples in the subsurface which indicated to Langan that benzene is from the ambient outdoor air.

V. Petitioner is Aggrieved.

Petitioner is aggrieved for the reasons set forth in paragraph IV. Petitioner has also been informed that the cost of compliance with the Review of Technical Report and Requirement for Additional Assessment Work Plan will likely exceed \$90,000.

VI. Petitioner's Requested Action by the State Board.

Petitioner respectfully requests that the State provide an evidentiary hearing on the Review of Technical Report and Requirement for Additional Assessment Work Plan pursuant to the United States Constitution, the California Constitution, Water Code § 13320, 23 CCR §648 et seq. and Government Code § 11400 et. seq., after full opportunity for discovery, and further requests that the Review of Technical Report and Requirement for Additional Assessment Work Plan be RESCINDED.

VII. Statement of Points and Authorities.

Petitioner will provide a detailed statement of points and authorities in the event the Executive Officer or the Regional Board take further action which necessitated Petitioner to take any further action.

VIII. List of Interested Persons.

A list of "interested persons" is attached to the Petition.

IX. Statement of Transmittal of Petition to the State Board.

A copy of this petition has been transmitted to the Executive Officer of the State Board on December 4, 2024.

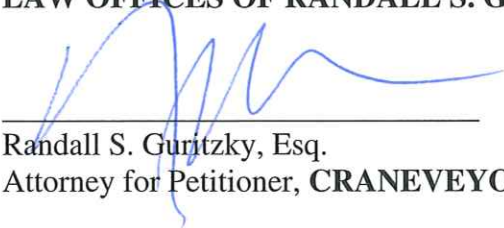
X. Request to State Board for Preparation of the Administrative Record.

By copy of this petition to the Executive Officer of the State Board, Petitioner hereby requests the preparation of the administrative record herein.

Respectfully submitted,
DATED: December 2, 2024

LAW OFFICES OF RANDALL S. GURITZKY

By:



Randall S. Guritzky, Esq.
Attorney for Petitioner, **CRANEVEYOR CORP.**

EXHIBIT A



Los Angeles Regional Water Quality Control Board

November 4, 2024

Mr. Gregory Bischoff
CraneVeyor Corporation
1524 N. Potrero Avenue
South El Monte, CA 91733

Certified Mail
Return Receipt Requested
Claim No. 9589 0710 5270 1153 2561 74

SUBJECT: REVIEW OF TECHNICAL REPORT AND REQUIREMENT FOR ADDITIONAL ASSESSMENT WORK PLAN PURSUANT TO CALIFORNIA WATER CODE SECTION 13267 ORDER NO. R4-2018-0032

SITE: CRANEVEYOR CORPORATION, 1524 N. POTRERO AVENUE, SOUTH EL MONTE, CALIFORNIA (WIP NO. 107.0777)

Dear Mr. Bischoff:

California Regional Water Quality Control Board, Los Angeles Region (Los Angeles Water Board) staff has reviewed your *Additional Sub-Slab Vapor and Air Sampling Summary Letter* (Report), dated April 24, 2024, that was submitted by your consultant, Langan CA, Inc. (Langan), for the above-referenced site (Site). The Report was submitted to fulfill the requirements of the California Water Code (CWC) section 13267 Order No. R4-2018-0032 amended on December 6, 2023.

SUMMARY OF TECHNICAL REPORT

The Report documents the installation and sampling of two sub-slab soil vapor probes in two onsite structures. The Report also documents the collection of two indoor air samples from the main office building and two ambient air samples from outside the office building. This sampling event is the second of two rounds of sampling completed during the cold season. The first sampling event took place in September 2021, during the hot season.

Numerous volatile organic compounds (VOCs) were detected during this investigation, including tetrachloroethene (PCE) and trichloroethene (TCE). None of the detections from the sub-slab vapor samples exceeded the San Francisco Bay Regional Water Quality Control Board (SFBRWQCB) commercial/industrial Environmental Screening Levels

NORMA CAMACHO, CHAIR | SUSANA ARREDONDO, EXECUTIVE OFFICER

320 West 4th Street, Suite 200, Los Angeles, CA 90013 | www.waterboards.ca.gov/losangeles

(ESLs). Benzene was detected in both indoor and ambient air samples above ESLs. Reported concentrations for benzene in indoor and ambient air samples were at the same order of magnitude. The Site is in a high traffic zone and the benzene detected could have been produced by combustion engines. Furthermore, benzene was not detected in sub-slab vapor samples, which indicates benzene is from the ambient outdoor air.

Based on the results presented in this report and the first round of sub-slab and indoor and ambient air samples, Langan concludes there is no risk posed by VOCs in soil vapor to occupants through vapor intrusion and no further action is requested for this case.

The Los Angeles Water Board forwarded the last three assessment reports to the Office of Environmental Health Hazard Assessment (OEHHA) for risk evaluation. OEHHA summarized and submitted its evaluation in a memo, dated August 2, 2024 (attached). OEHHA concluded offsite residential vapor intrusion risk estimates exceeded $1E-6$ at all four soil vapor sample locations (SV-03, SV-05, SV-06, and SV-07) along the eastern property boundary across which residential properties are located.

LOS ANGELES WATER BOARD COMMENTS AND REQUIREMENTS

Based on our review of the technical Report, the risk evaluation by OEHHA, previous reports, and other information available in the case file for the Site, the Los Angeles Water Board has the following comments and requirements:

1. Additional soil vapor sampling must be completed within the mobile home park located east of the Site in close proximity to mobile homes to sufficiently evaluate the potential risk to the offsite residents. Soil vapor samples shall be collected from 5 and 15 feet below ground surface.
2. Because of the reasons outlined above, the Los Angeles Water Board cannot consider the Site for case closure at this time.

You must submit a workplan via upload to GeoTracker by **January 6, 2025**, to propose additional soil vapor sampling offsite within the mobile home park, east of the Site, to evaluate the potential risk to the offsite residents.

The above requirement for submittal of a workplan constitutes an amendment to the requirements of the California Water Code section 13267 Order originally dated May 17, 2018. All other aspects of the Order originally dated May 17, 2018, and the amendments thereto, remain in full force and effect. Pursuant to section 13268 of the California Water Code, failure to submit the required technical report by the specified due date may result in civil liability administratively imposed by the Los Angeles Water Board in an amount up to one thousand dollars (\$1,000) for each day each technical report is not received.

If you have any questions, please contact Jennifer Nobui at (213) 620-6363 or Jennifer.nobui@waterboards.ca.gov or Bizuayehu Ayele at (213) 576-6623 or via email at Bizuayehu.Ayele@waterboards.ca.gov.

Sincerely,

 Digitally signed
by Jillian Ly
Water Boards

for Susana Arredondo
Executive Officer

Enclosure: OEHHA Memo, dated August 2, 2024

cc:

Mr. Randall Guritzky, CraneVeyor (randall.guritzky@gmail.com)
Mr. Philip L. Hinerman, Fox Rothschild LLP (PHinerman@foxrothschild.com)
Ms. Adriana Nunez, Office of the Chief Counsel, State Water Resources Control Board
Ms. Dorinda Shipman, Langan (dshipman@langan.com)
Mr. Randy Schoellerman, San Gabriel Basin Water Quality Authority
(Randy@wqa.com)
Mr. Dan Colby, San Gabriel Basin Water Quality Authority (dan@wqa.com)
Ms. Shervin Milani, DTSC (shervin.milani@dtsc.ca.gov)

EXHIBIT B

Los Angeles Regional Water Quality Control Board

INVESTIGATIVE ORDER NO. R4-2018-0032

CALIFORNIA WATER CODE SECTION 13267

ORDER TO PROVIDE A TECHNICAL REPORT
FOR SUBSURFACE INVESTIGATION

DIRECTED TO
CRANEVEYOR CORPORATION

CRANEVEYOR CORPORATION
1524 N. POTRERO AVENUE, SOUTH EL MONTE, CALIFORNIA 91733
(WIP NO. 107.0777)

ON
MAY 17, 2018

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 requiring CraneVeyor Corporation (CraneVeyor) to conduct further site investigation at the property located at 1524 N. Potrero Avenue in South El Monte (Site) [Assessor Identification Number (AIN) 8117-016-044]:

1. CraneVeyor has been a metal fabricating, steel erection, and overhead cranes manufacturing facility since 1946. The facility is in the City of South El Monte in which the Regional Board is currently investigating potential sources of discharges of wastes including, but not limited to, volatile organic compounds (VOCs) and chemicals of emerging concern, such as hexavalent chromium, 1,4-dioxane, 1,2,3-trichloropropane, N-nitrododimethylamine (NDMA), and perchlorate.
 - 1.1. The information in the Facility INformation Detail (FIND) database of the South Coast Air Quality Management District (SCAQMD) indicates that CraneVeyor has a permit for open spray equipment which uses 1,1,1-trichloroethane (1,1,1-TCA) in its operations (Attachment 1).
 - 1.2. The information in the chemical use questionnaire (CUQ) indicates that in early 1990s, 5 gallons of 1,1,1-TCA was spilled and later cleaned up at the Site.
 - 1.3. The information in our files indicates that chromium-based paints, lead chromate, zinc chromate, and chromium oxide were used at the Site (Attachment 2). During previous site assessment conducted at the Site, soil samples collected from the Site were not analyzed for hexavalent chromium.

- 1.4. 1,1,1-TCA is a major chemical of concern used and stored at the Site (Attachment 2). 1,4-dioxane, a chemical of emerging concern, has been historically used as a common stabilizer for 1,1,1-TCA. Soil samples collected at the Site were not analyzed for 1,4-dioxane.
 - 1.5. Based on information in the Department of Toxic Substances Control (DTSC) Hazardous Waste Handler (HWH) Summary Report, CraneVeyor, with Environmental Protection Agency (EPA) ID No. CAD008253452, generated 18.9 tons of aqueous solution with 10% or more total organic residues at the Site from 1993 to 2016 (Attachment 3).
 - 1.6. On May 4, 1989, the Regional Board issued Cleanup and Abatement Order (CAO) No. 89-050 to CraneVeyor. Several soil gas surveys were conducted at the Site and VOCs were detected in soil vapor with maximum concentrations of 66.7 micrograms per liter ($\mu\text{g/L}$) of 1,1,1-trichloroethane (1,1,1-TCA) and 60 $\mu\text{g/L}$ of 1,1-dichloroethane (1,1-DCA). Three groundwater monitoring wells were installed at the Site for groundwater sampling. 1,1-DCA, 1,1-dichloroethylene (1,1-DCE), tetrachloroethylene (PCE), trichloroethylene (TCE) were detected in groundwater at maximum concentrations of 170 $\mu\text{g/L}$, 50 $\mu\text{g/L}$, 55 $\mu\text{g/L}$, and 32 $\mu\text{g/L}$, respectively. On December 19, 1996, the Regional Board issued a no further action letter for the Site and consequently, on December 24, 1997, the Regional Board rescinded CAO No. 89-050. However, the Site was never assessed for chemicals of emerging concern, including hexavalent chromium and 1,4-dioxane.
 - 1.7. The information in the Regional Board files indicates that soil vapor samples were not properly collected using acceptable sampling protocols. Thus, the soil gas data collected in 1995 is not usable for proper evaluation of the Site, and the potential vapor intrusion issues were not addressed at the Site in the 1990s.
 - 1.8. On April 24, 2002, the Regional Board required CraneVeyor to sample the groundwater monitoring wells located at the Site for the chemicals of emerging concern, including 1,4-dioxane and hexavalent chromium. In June 2002, groundwater well no. W11CCW01 located close to the northern boundary of the facility was sampled and analyzed for chemicals of emerging concern. 1,4-dioxane and hexavalent chromium were detected in the groundwater at concentrations of 72 $\mu\text{g/L}$ and 1.2 $\mu\text{g/L}$, respectively. The other two groundwater wells were not sampled. The potential impact of CraneVeyor's chemical use to the groundwater has not been adequately assessed.
 - 1.9. According to the Los Angeles County Office of the Assessor, CraneVeyor is identified as the current property owner. According to the California Secretary of State Business Program database, CraneVeyor has been an active business entity since 1946.
2. CWC Section 13267(b)(1) states, in part:

"In conducting an investigation specified in subdivision (a), 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, or any citizen or domiciliary, or political agency or entity

of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste outside of its region that could affect the quality of waters 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 reports 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.”

3. The Regional Board has evidence in the case file for the Site indicating that there is or has been a potential for discharge of waste at or from the Site. This is evident in the information contained in our files and historical operations and chemical use at the CraneVeyor Site. It is known that groundwater within the South El Monte Operable Unit (SEOU), including at the CraneVeyor facility, is contaminated with VOCs and chemicals of emerging concern. The CraneVeyor facility is among the suspected sources of waste discharge in the SEOU because of historical manufacturing operations and incomplete site characterization at the Site.
4. This Order identifies CraneVeyor as the party responsible for suspected unauthorized discharges of waste identified in paragraph three (3) because CraneVeyor owns and operates at the property, and there is or has been a potential for discharge of waste at or from the Site.
5. This Order requires the persons named herein to prepare and submit a subsurface investigation workplan to assess the Site and determine if any discharges of waste, including 1,4-dioxane, hexavalent chromium, and other chemicals of emerging concern have impacted the soils beneath the Site. 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 incomplete and/or require revisions to the workplan under this Order.
6. 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 identify the chemicals used at the Site, to adequately determine the extent of discharges of waste at and from CraneVeyor site, and to assure adequate cleanup of CraneVeyor site, if necessary, as contaminants at the site may pose a threat to public health and the environment. The technical report required by this Order is needed by the Regional Board to determine whether the Site is a source of discharges of waste, specifically VOCs and chemicals of emerging concern that caused degradation of waters of the State within the Basin.
7. 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 reports, and may require the submittal of including workplans. The scope of activities required to prepare the reports required by this Order are not yet known. It is unlikely that compliance with this Order, including implementation of the workplans, could result in anything more than minor physical changes to the environment. If the implementation of this Order may result in significant

impacts on the environment, the appropriate lead agency will address the CEQA requirements prior to approval of any workplan.

8. Any person aggrieved by this action of the Regional Water Board may petition the State Water Resources Control Board (State Water 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 Water 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 Water 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 CraneVeyor, pursuant to section 13267(b) of the CWC, is required to submit a technical workplan by **August 17, 2018** to completely assess the soil and soil vapor beneath the Site and implement the workplan after approval. The assessment workplan shall meet, but not be limited to, the following requirements:

1. The workplan shall describe the proposed soil vapor and soil sampling procedures. It should show the proposed sampling locations on an accurately scaled map. You shall prepare and submit a workplan to complete assessment and characterization of 1,4-dioxane, hexavalent chromium and other potential waste constituents in the soil and soil vapor to fully delineate the vertical and lateral extent of wastes onsite.
2. At a minimum, soil samples and soil vapor samples shall be collected at the:
 - Former/current drum storage area(s),
 - Former/current waste storage area(s),
 - Location where the 1,1,1-TCA spill occurred,
 - Former/current 1,1,1-TCA storage area,
 - Paint booths area(s) -if any,
 - Paint storage area (s),
 - Former/current welding area(s),
 - Suspected solvent spill area in the southeast corner of the site, and
 - Buildings and/or perimeter of the buildings for vapor intrusion evaluation.

The Regional Board suggests the use of the July 2015 Department of Toxic Substances Control, Los Angeles Regional Water Quality Control Board, San Francisco Regional Water Quality Control Board, *Advisory – Active Soil Gas Investigation*, for the development of your workplan.

3. At each soil vapor sampling location, soil samples shall be collected at various depths to the proposed maximum sampling depth.

4. During soil characterization, if the collected soil samples exhibit obvious signs of contamination, soil samples must be collected and analyzed.
5. All soil matrix samples must be analyzed for hexavalent chromium and 1,4-dioxane.
6. The workplan shall include documentation of the current condition of the groundwater monitoring well/discovery well (MW-1 to MW-3) located at the Site (i.e. well inspection reports and/or previous monitoring reports). If the well is abandoned, you are required to submit the well destruction report. If the wells are in a serviceable condition, groundwater samples must be collected and analyzed for VOCs, hexavalent chromium, and 1,4-dioxane.
7. The above items shall be submitted to:

Ms. Shervin Milani
Water Resource Control Engineer
Remediation Section
Los Angeles Regional Water Quality Control Board
320 West 4th Street, Suite 200
Los Angeles, CA 90013
Phone: (213) 576-6705
Email: shervin.milani@waterboards.ca.gov

8. Pursuant to Water Code Section 13268 (a), 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 technical report described above by the specified due date 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 technical report 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.
9. The State Water Resources Control Board adopted regulations (Chapter 30, Division 3 of Title 23 & Division 3 of Title 27, California Code of Regulation) requiring the electronic submittals 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/index.shtml.

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. For your convenience, the GeoTracker Global ID for this site is SL603798769.

10. The Regional Board, under the authority given by CWC Section 13267 subdivision (b)(1), requires you to include a perjury statement in all reports submitted under 13267 Order. The perjury

statement shall be signed by a senior authorized CraneVeyor 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."

SO ORDERED.



Deborah J. Smith
Executive Officer

5-17-18
Date

Attachments:

1. South Coast Air Quality Management District Permit
2. Material Safety Data Sheet for Chromium-Based Paints
3. Material Safety Data Sheet for 1,1,1-Trichroethane

Attachment 1

South Coast Air Quality Management District Permits to Operate



SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

PERMIT TO OPERATE

9150 FLAIR DRIVE, EL MONTE, CALIFORNIA 91731

M 45775

Operation under this permit must be conducted in compliance with all information included with the initial application and the initial permit conditions. The equipment must be properly maintained and kept in good operating condition at all times. In accordance with Rule 206, this Permit to Operate or copy must be posted on or within 8 meters of equipment.

APPL. NO. 134547

LEGAL OWNER
OR OPERATOR:

CRANEVEYOR CORPORATION

EQUIPMENT
LOCATED AT:

1524 NO. KYRIEHO AVE.

EQUIPMENT DESCRIPTION AND CONDITIONS:

SOUTH EL MONTE, CA

OPEN SPRAY EQUIPMENT, WITH ONE AIRLESS ELECTROSTATIC SPRAY GUN.

PAGE 1 OF 2

FILE COPY

This initial permit must be renewed by 01/01 ANNUALLY unless the equipment is moved, or changes ownership. If billing for annual renewal fee (Rule 301.0) not received by expiration date, contact office above.

This permit does not authorize the emission of air contaminants in excess of those allowed by Division 26 of the Health and Safety Code of the State of California or the Rules of the Air Quality Management District. This permit cannot be considered as permission to violate existing laws, ordinances, regulations or statutes of other government agencies.

J. A. STUART	BY	VIRGINIA MOY
EXECUTIVE OFFICER		
	DATE	09/16/85

M45775

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT

CONTINUATION OF PERMIT NO. _____
(MUST BE DISPLAYED WITH PERMIT)

APPL. NO. 134547

-CONDITIONS-

1. THE TOTAL QUANTITY OF COATINGS AND SOLVENTS USED IN THIS EQUIPMENT MUST NOT EXCEED 15 GALLONS IN ANY ONE DAY.
2. THIS EQUIPMENT MUST BE OPERATED IN COMPLIANCE WITH RULE 1107.
3. ONLY EXEMPT SOLVENTS SUCH AS 1,1,1 TRICHLOROETHANE MAY BE USED TO THIN COATINGS APPLIED WITH THIS EQUIPMENT.
4. ORGANIC SOLVENTS USED TO CLEAN OR DEGREASE METAL SURFACES MUST BE NON-PHOTOCHEMICALLY REACTIVE.

PAGE 2 OF 2 PAGES

FILE COPY

Attachment 2

Material Safety Data Sheet for Chromium based Paints and
1,1,1-TCA

CRANEVEYOR CORP.

1524 NORTH POTRERO AVENUE (MAILING): P.O. BOX 31727
 SOUTH EL MONTE, CALIFORNIA 91733-(213) 442-1524 & 686-0861 D-U-N-S 825-3452

VENDOR:

ANGELES CHEMICAL

SHIP TO:

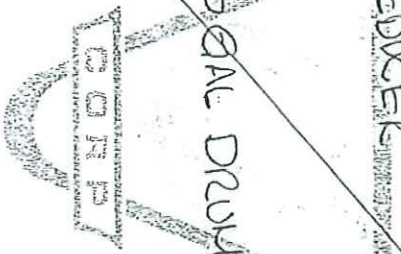
Q/V Corp. - RUC

PURCHASE ORDER NO. J-4837
 RELEASE NO. 3004

ATTN: Sobud

ATTN:

LINE NO.	ITEM PART NUMBER	ORDER QUANTITY	UNIT	DESCRIPTION	COST/UNIT	NET EXTENDED COST
5-13-86		5-14-86	NO	SS-AP-11-150867		SO EL MONTE
			EA.	55 GAL. DRUM # 111	5097/LB	539/LB
			EA.	TRICHLORETADE PANT REDUCE (600 LBS)		
			EA.	55 GAL DRUM ANCHER # CH-66	234 GAL.	268 GAL.
					THIS IS 2 DRUM PRICE	
APPROVED BY: <i>[Signature]</i>				DATE: 5-18-86	O = #9711 Secured by K.M. 5/14/86	
					TOTAL	



- Invoice each Purchase Order separately. INVOICE IN TRIPPLICATE.
- Packing sheets must accompany all shipments.
- Do not make Partial shipments unless authorized.
- Acknowledge receipt by return mail, if requested, and advise shipping date.
- Do not make split shipments under 500 pounds unless authorized.
- Order number must appear on all packages, cases, delivery slips and invoices.
- No modification of this order will be permitted unless authorized in writing by purchasing department.
- Buyer reserves the right to cancel all or any part of this order if shipment is not made within the times specified.
- Under no circumstances will we pay any invoice for more than price given above unless mutually

CUSTOMER'S COPY

CRANEVEYOR CORP.
1524 POTRERO AVENUE
P.O. BOX 3727
SO. EL MONTE, CA 91733

1575
CRANEVEYOR CORP.
1524 POTRERO AVENUE
P.O. BOX 3727
SO. EL MONTE, CA 91733



ANGELES CHEMICAL CO., INC.

8915 Sorensen Avenue
Santa Fe Springs, California 90670
(213) 945-3911 • 685-4386 (L.A.)
(714) 521-7660

TRUCK BILL OF LADING AND DELIVERY RECEIPT

If this shipment moves via "for hire" carrier it shall be governed: (a) as to contract carriers by the applicable contract, or (b) as to common or other carriers by the National Motor Vehicle Classification Form bill of lading in effect on date of shipment, if applicable. Delivery is made by trailer, truck, or vehicle of buyer, bill of lading provisions are not applicable and this document will serve as a delivery receipt.

SHIP TO	1575	CRANEVEYOR CORP.	1524 POTRERO AVENUE	P.O. BOX 3727	SO. EL MONTE, CA 91733
BILL TO	1575	CRANEVEYOR CORP.	1524 POTRERO AVENUE	P.O. BOX 3727	SO. EL MONTE, CA 91733
SHIP NO.	1575	CRANEVEYOR CORP.	1524 POTRERO AVENUE	P.O. BOX 3727	SO. EL MONTE, CA 91733
SHIP TO	1575	CRANEVEYOR CORP.	1524 POTRERO AVENUE	P.O. BOX 3727	SO. EL MONTE, CA 91733
SHIP TO	1575	CRANEVEYOR CORP.	1524 POTRERO AVENUE	P.O. BOX 3727	SO. EL MONTE, CA 91733

QUANTITY ORDERED	QUANTITY	GROSS WEIGHT	NET WEIGHT	TEMP	PRODUCT NUMBER	HM	DESCRIPTION	NET QUANTITY	PER
1	600	218030	600# DRUM				DRUM-A	600	1
1	55	317030	55# DRUM			X	PAINT RELATED MATERIAL FLAMMABLE LIQUID	55	2

5-14-86

THIS IS C DRUM
PRICE

THIS IS TO CERTIFY THAT THE ABOVE NAMED MATERIALS ARE PROPERLY CLASSIFIED, DESCRIBED, PACKAGED, MARKED & LABELED, AND ARE IN PROPER CONDITION FOR TRANSPORTATION ACCORDING TO THE APPLICABLE REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION.
ANGELES CHEMICAL CO., INC. SHIPPER
Per _____
PERMANENT POST OFFICE ADDRESS OF SHIPPER: 8915 SORENSEN AVENUE, SANTA FE SPRINGS, CA. 90670

Per _____
M. FINISHED UNLOADING
M. OUT
M. STARTED UNLOADING
M. TIME IN _____
M. HEREBY CERTIFY THAT QUANTITY WAS RECEIVED AS INDICATED BY QUANTITY AS INDICATED BY MEASUREMENTS SHOWN ABOVE WAS DELIVERED TO CONSIGNEE AT ADDRESS SHOWN:
MEASUREMENTS SHOWN ABOVE.
CONSIGNEE _____
Carrier's Agent _____

CRANEVEYOR CORP.
 1524 POTRERO AVENUE
 P.O. BOX 3727
 S.D. EL MONTE, CA 91733

1575
 CRANEVEYOR CORP.
 1524 POTRERO AVENUE
 P.O. BOX 3727
 S.D. EL MONTE, CA 91733



ANGIELES CHEMICAL CO., INC.
 8915 Sorensen Avenue
 Santa Fe Springs, California 90670
 (213) 945-3911 • 685-4386 (L.A.)
 (714) 521-7660

TRUCK BILL OF LADING AND DELIVERY RECEIPT

If this shipment moves via "for hire" carrier it shall be governed by the applicable contract, or (b) as to common or other carriage, by the National Motor Freight Classification Tariff, or the applicable bill of lading in effect on date of shipment, whichever is applicable, or by such other bill of lading form or conditions as may be prescribed by government authority. If delivery is made by seller's truck or vehicle of buyer, bill of lading provisions are not applicable and this document will serve as a delivery receipt.

SHIPPER NO. 1
 P.O. NUMBER: J50873004
 SALESMAN NAME: CHRIS PETERS
 SHIP DATE: 06/16/86
 DATE OF ORDER: 06/13/86
 TAX STATUS: TAXABLE
 F.O.B. POINT: WEST
 DELVD: ANHEM
 SHIPPED VIA: ANHEM
 FREIGHT TERMS: PREPAID
 TERMS FROM DATE OF SHIPMENT: NET 30 DAYS

QUANTITY ORDERED	GROSS QUANTITY	TEMP. OF CARGO	PRODUCT NUMBER	HM	DESCRIPTION	NET QUANTITY	PER * (GALLONS)
2	1200	218030	4009 DRUM	X	DRM-A 1-1-1 TRICHLOROETHANE	1800	UN 2831 1
2	110	317030	55G DRUM	X	PAINT RELATED MATERIAL FLAMMABLE LIQUID CH SOLVENT	110	NA 1263 2

THIS IS TO CERTIFY THAT THE ABOVE NAMED MATERIALS ARE PROPERLY CLASSIFIED, DESCRIBED, PACKAGED, LABELED, AND ARE IN PROPER CONDITION FOR TRANSPORTATION ACCORDING TO THE APPLICABLE REGULATIONS OF THE DEPARTMENT OF TRANSPORTATION.

ANGIELES CHEMICAL CO., INC. SHIPPER

Per 10616

CARRIER HEREBY CERTIFIES THAT THE CARGO TANK SUPPLIED FOR THIS SHIPMENT IS A PROPER CONTAINER FOR THE TRANSPORTATION OF THIS COMMODITY AS DESCRIBED BY THE SHIPPER AND COMPLETES WITH APPLICABLE SPECIFICATIONS OF THE DEPARTMENT OF TRANSPORTATION.

CERTIFIED AND RECEIVED BY 616

Per 616

REMAINING POST OFFICE ADDRESS OF SHIPPER: 8915 SORENSEN AVENUE, SANTA FE SPRINGS, CA. 90670

TIME IN M. STARTED UNLOADING BY QUANTITY AS INDICATED

TIME OUT M. FINISHED UNLOADING BY MEASUREMENTS SHOWN ABOVE WAS DEF. CG - 100 GALLONS
 CT - HUNDRED WEIGHT
 QH - QUARTER HOUR
 EA - EACH

I HEREBY CERTIFY THAT QUANTITY WAS RECEIVED AS INDICATED BY MEASUREMENTS SHOWN ABOVE.

Carrier's Agent X

CRANE VEYOR CORP.

1524 NORTH POTRERO AVENUE (MAILING) P.O. BOX 3727
SOUTH EL MONTE, CA 91733 (918) 442-1524 (213) 686-0861 D-U-N-S-823-3452

VENDOR:

ADDRESSES CHEMICAL

ACCOUNTING COPY

PURCHASE ORDER NO. J-5087-

RELEASE NO.

3004

SHIP TO:

Q/V Corp - CHIC

BOBBIE

DATE ORDERED	VENDOR NO.	SHIP TO NO.	DATE REQUIRED	RESALE	PERMIT NUMBER	F.O.B. POINT
6-12-86			6-16-86	NO	SS-AP-11-150867	So EL MONTE

LINE NO.	ITEM / PART NUMBER	ORDER QUANTITY	UNIT MEAS.	DESCRIPTION	COST/UNIT	NET EXTENDED COST
21	EA.	21	EA.	55 GAL. DRUM # 111 TRICHLORETANE PAINT REDUCER (600 # ea)	509/UBW	
21	EA.	21	EA.	55 GAL DRUM OF ANCHEM # CH-66	2.34 GAL	
TOTAL:						

APPROVED BY

DATE

0 = 6/16/86 # 10118 B.S.

INVOICE IN TRIPLICATE

- Invoice each Purchase Order separately.
- Packing sheets must accompany all shipments.
- Do not make partial shipments unless authorized.
- Acknowledge receipt by return mail, if requested, and advise shipping date.
- Do not make split shipments under 500 pounds unless authorized.
- Cash discount to be taken on 10th prox. unless shown on invoice.
- Order number must appear on all packages, cases, delivery slips and invoices.
- No modification of this order will be permitted unless authorized in writing by purchasing department.
- Buyer reserves the right to cancel all or any part of this order if shipment is not made within the time specified.
- Under no circumstances will we pay any invoice for more than price given above unless mutually agreed upon in writing.

Attachment 3

Department of Toxic Substances Control Hazardous Waste Handler Summary Report



Matthew Rodriguez
 Secretary for
 Environmental Protection

Department of Toxic Substances Control

Barbara A. Lee , Director
 1001 I Street
 P.O. Box 806
 Sacramento , CA 958120806



Edmund G. Brown Jr.
 Governor

Hazardous Waste Handler(HWH) Summary Report

Selection Criteria:

EPA ID: CAD008253452

Company Name: CRANEVEYOR CORP

Entity: GENERATOR

Waste Code: ALL

Handling Code: ALL

Start Ship Date: 19500101

End Ship Date: 20180101

Ship Year:

Sorted By: Date Range

California Manifests:

Ship Year	Manifests	Total Tons
1993	2	1.58500
1994	2	1.51690
1995	2	1.35570
1996	3	2.31330
1997	3	1.54150
1998	3	2.27120
1999	2	1.81430
2000	2	1.03000
2001	1	1.11830
2002	1	0.61600
2003	1	0.88000
2004	1	0.66770
2006	1	1.33540
2008	2	2.00310
2009	1	0.64735
2010	2	1.56475
2012	2	2.02345
2013	1	0.43785
2014	2	1.58510
2015	2	1.81445
2016	2	2.06415

CA Waste Summary:

Ship Year	Waste Code	Tons
1993	133	1.37600
1994	133	0.91740
1995	133	1.14670
1996	133	1.83480
1997	133	1.10500
1998	133	1.83470
1999	133	1.37600
2000	133	0.88000
2001	133	0.68800
2002	133	0.44000
2003	133	0.88000
2004	133	0.45870
2006	133	0.45870
2008	133	1.14675
2009	133	0.22935
2010	133	0.22935
2012	133	0.91740
2013	133	0.22935
2014	133	0.68805
2015	133	0.91740
2016	133	1.14675
1997	181	0.22750
1998	181	0.22750
2000	181	0.15000
1994	212	0.18150
1996	212	0.13200
1993	221	0.20900
1994	221	0.41800
1995	221	0.20900
1996	221	0.20900
1997	221	0.20900
1998	221	0.20900
1999	221	0.20900
2001	221	0.20520
2002	221	0.17600
2004	221	0.20900
2006	221	0.41800
2008	221	0.62700
2009	221	0.41800
2010	221	0.41800
2012	221	0.41800
2014	221	0.20900
2015	221	0.20900
1996	223	0.13750

1999	223	0.22930
2001	223	0.22510
2006	223	0.45870
2008	223	0.22935
2010	223	0.91740
2012	223	0.68805
2013	223	0.20850
2014	223	0.68805
2015	223	0.68805
2016	223	0.91740
Grand Total: 30.1855 Tons		

Disposal Method Summary:

Ship Year	Method Code	Tons
2000	D80	0.15000
1997	D99	0.22750
1998	D99	0.22750
1994	H01	0.66770
1996	H01	0.59070
1997	H01	0.45870
1998	H01	1.83470
1999	H01	1.37600
2000	H01	0.88000
2001	H01	0.68800
2002	H01	0.44000
2003	H01	0.88000
2004	H01	0.45870
2006	H01	0.45870
2010	H039	0.43835
2013	H039	0.20850
2014	H039	0.68805
2008	H061	0.85635
2009	H061	0.41800
2010	H061	0.89705
2012	H061	1.10605
2014	H061	0.20900
2015	H061	0.89705
2016	H061	0.91740
2008	H141	1.14675
2009	H141	0.22935
2010	H141	0.22935
2012	H141	0.91740
2013	H141	0.22935
2014	H141	0.68805
2015	H141	0.91740
2016	H141	1.14675

1993	R01	1.58500
1994	R01	0.84920
1995	R01	1.35570
1996	R01	1.72260
1997	R01	0.85530
1998	R01	0.20900
1999	R01	0.43830
2001	R01	0.43030
2002	R01	0.17600
2004	R01	0.20900
2006	R01	0.87670
Grand Total: 30.1855 Tons		

The Department of Toxic Substances Control (DTSC) takes every precaution to ensure the accuracy of data in the Hazardous Waste Tracking System (HWTS). However, because of the large number of manifests handled, inaccuracies in the submitted data, limitations of the manifest system and the technical limitations of the database, DTSC cannot guarantee that the data accurately reflect what was actually transported or produced.

Report Generation Date: 03/13/2018

EXHIBIT C

RANDALL S. GURITZKY [SBN 119784]
LAW OFFICES OF RANDALL S. GURITZKY
1524 North Potrero Avenue
South El Monte, CA 91733
Telephone: (626) 580-3275
Facsimile: (626) 580-3275
Email: randall.guritzky@gmail.com

PHILIP HINERMAN (SBN 284231)
phinerman@foxrothschild.com
FOX ROTHSCHILD LLP
345 California Street, Suite 2200
San Francisco, CA 94104-2670
Telephone: 415.364.5540
Facsimile: 415.391.4436
Attorney for CraneVeyor Corp.

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD LOS ANGELES REGION

IN RE:

INVESTIGATIVE ORDER DATED MAY
17, 2018, ISSUED BY CALIFORNIA
REGIONAL WATER QUALITY
CONTROL BOARD, LOS ANGELES
REGION, PURSUANT TO CWC §
13267

No.

AFFIDAVIT OF DORINDA SHIPMAN

I, **Dorinda Shipman**, do swear and affirm as follows:

1. I am over the age of eighteen. I am Principal at Langan Engineering and Environmental Services and my business address is 555 Montgomery Street, Suite 1300, San Francisco, CA 94111. I have worked at Langan and its affiliated companies for over 20 years. My resume is attached as Exhibit A.
2. I have performed regulatory compliance and environmental investigation and cleanup services for public and private clients for over 30 years, predominantly in California and involving industrial, military, oil and gas, landfill, and petroleum storage and conveyance operations. I am a California Professional Geologist and Certified Hydrogeologist. I routinely lead soil and groundwater investigation and cleanup, soil gas and vapor intrusion risk assessments, water supply assessment, and dewatering evaluations and direct groundwater-flow and transport modeling. I am actively involved with the nonprofit Center for Creative Land Recycling (CCLR) as an Advisory Board member.

8. The chemical use questionnaire (CUQ) provided by CraneVeyor to the LARWQCB indicates in the early 1990's, 5 gallons of 1,1,1-TCA was spilled and later cleaned up at the site.

- a. CraneVeyor staff reported that, the 5 gallon spill occurred in 1990 and was contained on an asphalt surface. It was **immediately** cleaned up with a spill kit. The report documenting subsequent soil/soil gas sampling completed by TEG in 1996 stated that the ppb 1,1,1-TCA detected in soil gas at 10-feet indicated that 1,1,1-TCA was unlikely to reach groundwater that was reportedly 40 feet below ground surface at that time.
- b. We note that groundwater data from the upgradient and downgradient monitoring wells MW-01 (aka W11CCW01) and MW-03, respectively indicated higher concentrations of 1,1,1-TCA in 1989, prior to the small spill versus after the spill. Furthermore, 1,1,1-TCA in groundwater samples from site wells decreased during the 1990s to below reportable limits. If the 1,1,1-TCA spill in the early 1990s was the source, 1,1,1-TCA concentrations in site groundwater would have been expected to increase, then stabilize for a given period, before ultimately following a decreasing trend after several years. This did not occur. [1997 EPA RI/FS]

9. Files in the LARWQCB indicate that chromium-based paints, lead chromate, zinc chromate and chromium oxide were used at the site. LARWQCB states that CraneVeyor did not analyze soil samples for hexavalent chromium.

- a. Sampling for hexavalent chromium was not conducted in the initial soil/groundwater investigations because a) it was not requested, and b) because there was not regular use of chromium-based products. CraneVeyor purchased two 5-gallon containers (10 gallons) of zinc chromate primer from supplier Cardinal Industrial Finishes on 12 April 1984. This was a single purchase for a one time project and no additional purchases of chromium based paint ever occurred. There was no release of this limited amount of chromium compound to the environment and it is extremely unlikely to have impacted soil or groundwater.
- b. A number of potential hexavalent chromium sources have existed near to CraneVeyor and upgradient of its facility, including an adjacent former auto body and repair shop, chemical manufacturer, and fabricating and machining facilities. These sites are likely sources of impacts to groundwater in the area.

10. LARWQCB contends that 1,1,1-TCA was used and stored at the site and 1,4-dioxane has been historically used as a stabilizer in 1,1,1-TCA. Soil samples collected at the site were not analyzed for 1,4-dioxane.

- a. Sampling for 1,4-dioxane was not required in the initial soil/groundwater investigations. Historically 1,4-dioxane has been used in industrial applications as a stabilizer in 1,1,1-TCA in quantities ranging from 2.5% to 4% and can concentrate to approximately 15%. In 1989, 1,1,1-TCA was detected in groundwater at 13 parts per

vapor investigations in 1992 and 1996 showed 1,1,1-TCA concentrations decreased in both the upgradient and downgradient wells. Concentrations of PCE (which according to existing records was never purchased or used by CraneVeyor) increased in both upgradient and downgradient wells. The increases indicate upgradient, offsite impacted groundwater migrating beneath the CraneVeyor property.

- b. Multiple potential offsite sources of 1,4-dioxane exist in the area, including car washes, automotive, and paint shops. Ethyoxlated surfactants are widely used in facilities nearby and documentation for storage and disposal of these materials is not publically available.
- c. Analytical results in 2002 from upgradient well MW-01 indicate impacted offsite groundwater. Concentrations are 55 times greater than the potential amount of 1,4-dioxane that potentially could have been released in the 1,1,1-TCA spill. Additionally, 1,1,1-TCA onsite groundwater concentrations were decreasing in concentration throughout 1990s. VOC concentrations have increased in the upgradient well throughout the 1990s indicating migration of contaminants from upgradient sources. Several potential upgradient sources of 1,4-dioxane exist and can be determined if LARWQCB requests this information on neighboring chemical use and/or subsurface conditions.
- d. Sampling for hexavalent chromium was not requested in the initial soil and groundwater investigations. CraneVeyor purchased two 5-gallon containers (10 gallons) of zinc chromate primer from supplier Cardinal Industrial Finishes on 12 April 1984. This was a one-time project, and no other operation or project used chromium based paint.
- e. Multiple potential sources for hexavalent exist in neighboring properties adjacent to and upgradient of the CraneVeyor facility. These upgradient and adjacent sources could have potentially impacted groundwater beneath the CraneVeyor site. As previously discussed, this chemical may be used in auto body and repair shops, and fabricating facilities that are nearby.
- f. No spills of chromate primer have occurred on the Property.

13. LARWQCB indicates that soil vapor samples were not properly collected using acceptable sampling protocols. Thus, soil gas data collected in 1995 is not usable for proper evaluation of the site, and thus potential soil vapor issues were not addressed at the site in the 1990s.

- a. TEG submitted a standard operating procedure (SOP) and a workplan for the soil gas survey for review and both were approved by the Regional Water Board on or around March 1996.

Langan has identified publically available information via GeoTracker of potential upgradient sources and groundwater concentration trends for PCE, TCE, TCA, 1,4-dioxane and hexavalent chromium indicate releases from other upgradient sources. It is Langan's opinion based on the information reviewed and provided in Exhibit B References, that CraneVeyor is unlikely to be a contributor to the regional groundwater impacts.

CraneVeyor purchased 10 gallons of chromate based paint 34 years ago. Given the numerous potential upgradient sources of chromium based compounds including aerospace component and chemical manufacturing, plating operations, and automotive repair and paint shops, CraneVeyor's use of the 10 gallons of yellow zinc chromate based primer is unlikely to be present in impacted groundwater. This is further supported by hexavalent chromium being detected in upgradient well MW-01 (aka W11CCW01) at a concentration of 1.2 ppb in 2002.

CraneVeyor does not use solvent materials that contain 1,4-dioxane as part of their operations and fabrication processes. Once, from 27 to 32 years ago, CraneVeyor purchased some 1,1,1-TCA. The 1,1,1-TCA was used in properly disposed towels. These towels were used to wipe down by hand structural steel support beams prior to the finishing process. 1,1,1-TCA has not been used or stored at the site since June 1991. Approximately 27 years ago, 5 gallons of material was spilled and immediately cleaned up. Subsequent soil and soil gas investigation in the release area [TEG, 1996] indicated that the 1,1,1-TCA was not a contributor of VOCs to groundwater. Based on the TEG report findings, combined with numerous potential upgradient sources of 1,4-dioxane, which include aerospace manufacturing, car washes, and fabricator degreasing operations, CraneVeyor is an unlikely source of 1,4-dioxane impacting groundwater. Furthermore, 1,1,1-TCA has been detected in upgradient well MW-01 (aka W11CCW01) prior to the release between 1990 and 1991 and has had concentrations in groundwater ranging from 7.0 ppb to 13.0 ppb. Therefore, it is most likely that 1,4-dioxane impacted groundwater from offsite upgradient sources is beneath the CraneVeyor site.

I affirm that the above and foregoing representations are true and correct to the best of my information, knowledge, and belief.

6.18.18

Date

Dorinda Shipman

STATE OF CALIFORNIA
COUNTY OF SAN FRANCISCO

I, the undersigned Notary Public, do hereby affirm that Dorinda Shipman personally appeared before me on the 18 day of June 2018, and signed the above Affidavit as her free and voluntary act and deed.

Notary Public



groundwater sampling effort including over 40 new and existing wells. Coordinated sampling efforts with operations at the tank farm, retail operations on adjoining properties and with consultants from three other parties involved in the litigation. Researched historical development of the area and compiled over 5 years of historical soil gas, soil, and groundwater data into a geologic and chemical database and combined the information with the recently collected data to develop a 3-dimensional subsurface model to demonstrate that tank farm fuel constituents could have migrated to the gas plant site. Prepared field investigation report, prepared and gave presentations to the client and the local regulatory agency, and provided technical support through the mediation process.

Manufacturing Facility Litigation Support

Hydrogeologist for legal action in San Francisco, California involving potential release and migration of chlorinated solvents from a manufacturing facility onto the adjacent property, a former rail yard. The property owner operates a groundwater extraction and treatment system and monitors groundwater quality on a quarterly basis. The distribution of chlorinated volatile organics indicated that groundwater contaminant plumes were migrating from multiple sources at the sites, that the plumes were commingling downgradient, and that natural attenuation was occurring. Evaluated the adequacy of the existing groundwater monitoring network, assessed capture by the existing remedial system, identified sources through direct (historical information) and indirect (contaminant distribution) evidence, differentiated dissolved plumes, estimated the mass of contamination migrating from one property to the other, and developed field investigation plans to fill data gaps.

Underground Storage Tank (UST) Vapor Impacts

Project manager for a site with vapor intrusion into indoor air by soil gas impacted by methane and VOCs from former leaking underground storage tanks. Performed investigation and monitoring, remedial planning and cost estimating, and designed and implemented vapor mitigation system. Provided technical support and expert testimony for successful application for default judgment and assignment of California UST Fund rights of the UST operator to client.

Landfill Litigation Support

Hydrogeologist for legal action involving soil and groundwater investigations, surface water and stormwater monitoring programs, closure plan preparation, and remedial design efforts for a client-owned Superfund landfill site. Hundreds of potentially responsible parties (PRPs) were identified for the site. Researched historical land use activities, monitoring events, and site hydrogeology using a comprehensive database to evaluate disposal and operational histories and contaminant transport processes. Prepared rebuttals to documents prepared by PRP consultants regarding landfill-gas composition, leachate composition, and the volume of leachate generated due to disposal and settlement of landfill wastes. Developed a cost-allocation framework based on "Gore factors," waste volumes, and operational roles (generators, owners, operators) to determine responsibility for groundwater cleanup.

Pier 70, Port of San Francisco

Project Director for Brownfield Site Investigation, cleanup planning and risk management project focused on gathering the information required to carry out the Master Plan for this 65-acre area with over 150 years of shipbuilding and industrial activity. The work is funded through a Federal Grant from the US Department of Commerce and Economic Development Administration. We reviewed the existing reports and historical information, identified potential contaminant source areas, and developed a Site Conceptual Model and phased investigation work plan to collect soil gas, soil, and groundwater data. The SI included performing non-aqueous phase liquid (NAPL) sampling and fate and transport assessment. SI results were used to conduct human and ecological risk assessments, and provide input into remediation feasibility study and remedial action plan preparation. The risk management plan will be used by the Port and developers to plan and stage site redevelopment. Also developed a probabilistic cost estimate for remediation that the Port used to provide information to potential developers.

City of Lodi PCE/TCE Cleanup and Mediation Technical Services

Assistant Project Manager and hydrogeologist for assisting the City of Lodi with characterization and remediation of various areas having soil and groundwater contaminated with chlorinated volatile organic compounds such as PCE and TCE. Work includes peer review and assimilation of technical data related to work performed by other parties and previous consultants, working with the City attorney and outside counsel in mediation and litigation, conducting and managing additional site investigation activities, working with the Lodi Department of Public Works on water quality and supply issues, and reporting progress to regulatory agencies.

Section 13304 Order No. 2000-19, Former Multi Chemical Products Inc., 2128-2200 Merced Avenue, South El Monte, California (WIP No. 107.1198)

Los Angeles Regional Water Quality Control Board, (2017), Notice of Violation – Failure to Comply with Requirements to Respond to Chemical Storage and Use Questionnaire Pursuant to Investigate Order No. R4-2016-0336.

Los Angeles Regional Water Quality Control Board, (2016), Requirement for Technical Report and Response to Chemical Storage and Use Questionnaires Pursuant to California Water Code Section 13267(B), CraneVeyor Corporation 1524 N. Potrero Avenue, South El Monte, California (WIP No. 107.0777).

Los Angeles Regional Water Quality Control Board, (1996), San Gabriel Valley Cleanup Program – NO FURTHER REQUIREMENTS, CraneVeyor Corporation, 1524 North Potrero Avenue, South El Monte, CA (File No. 107.0777).

Reed Smith LLP, Todd O. Maiden, (2008), Privileged and Confidential, Memorandum, SEMOU Litigation, Special Master's Information Brief: CraneVeyor Corporation.

San Gabriel Basin Water Quality Authority, (2011), Figure 3 – Prescribed Remedy South El Monte Operable Unit.

San Gabriel Basin, Water Quality Authority, (2018), Figure 3 – Prescribed Remedy South El Monte Operable Unit.

State Water Resources Control Board, (2017), Petition of CraneVeyor Corporation for Review of Water Code Section 13267 Order No. R4-2016-0336 Dated December 20, 2016, for 1524 N Potrero Avenue South El Monte, California, 91733, Issued by Los Angeles Regional Water Quality Control Board: Approval of Request to Place Existing Active Petition in Abeyance SWRCB/OCC FILE A-2522.

State Water Resources Control Board and Department of Toxics Substances Control. WB Pet. Summary & CV Manifests.

TEG, (1996), Soil Vapor Report – CraneVeyor Corp. – (RWQCB File #107.0777).

The Whittier Daily News, (2012, Updated 2017), 11 Companies Add \$6.6 Million to Superfund Cleanup in South El Monte.

U.S. Army Corps of Engineers, Seattle District, (2016), Second Five-Year Review Report for San Gabriel Valley Area 1 Superfund Site, Los Angeles County, California.

United States Environmental Protection Agency, Region 9, San Francisco, California, (2013), First Five-Year Review Report for San Gabriel Valley Area 1 Superfund Site.

United States Environmental Protection Agency, Region 9, San Francisco, California, (2016), Second Five-Year Review Report for San Gabriel Valley Area 1 Superfund Site.