

Los Angeles Regional Water Quality Control Board

June 3, 2015

Mr. Alan Skobin
15505 Roscoe Blvd.
North Hills, California 91343

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7012 3460 0000 2166 4314

Mr. Alan Skobin
Northridge Properties, LLC
15505 Roscoe Blvd.
North Hills, California 91343

CERTIFIED MAIL
RETURN RECEIPT REQUESTED
7013 3460 0000 2166 4291

SUBJECT: ORDER REQUIRING A TECHNICAL REPORT PURSUANT TO CALIFORNIA WATER CODE SECTION 13267

SITE: FORMER ZERO CORPORATION FACILITY, 777 NORTH FRONT STREET, BURBANK, CALIFORNIA FILE NO. 109.6162

Dear Mr. Skobin and Northridge Properties:

The California Regional Water Quality Control Board, Los Angeles Region (Regional Board) is the public agency with the primary responsibility for the protection of ground and surface water within major portions of Los Angeles and Ventura Counties. To accomplish this, the Regional Board issues investigative orders pursuant to the Porter-Cologne Water Quality Control Act (California Water Code [CWC], §§13000 et seq.).

Regional Board staff have reviewed the final report entitled "Soil Assessment Report," (Geosyntec September 10, 2012) for the former Zero Corporation facility located at 777 North Front Street, Burbank, California from the 1960s to the 1990s (Site). Additionally, staff reviewed additional technical information in the Regional Board files that indicates the documented use of hexavalent chromium (CrVI) at the Site. The staff's conclusion is that there has not been adequate soil sampling data collected with regard to CrVI in soils that are deeper than 5 feet below grade.

Thus, staff has determined that an additional investigation is warranted due to the historical use of chromium at the Site. The requirement for an additional investigation is further warranted by information presented to the Regional Board in a 2009 soil investigation report for the Site that was prepared on behalf of the California Department of Transportation (CalTrans). The report indicates that CrVI is present at the Site at a concentration of 410 micrograms per kilogram ($\mu\text{g/Kg}$) which is above the typical background level concentration of non-detect (ND) in the native soils in the Burbank area.

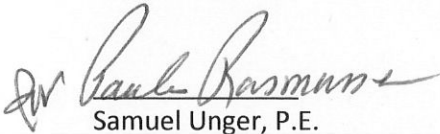
The former responsible party, APW North America, received a Certificate of Completion from the California Environmental Protection Agency in 2002 with respect to volatile organic compounds (VOCs), but not CrVI. The Regional Board is the administering agency of record and has determined the CrVI contamination was not fully investigated prior to the issuance of the certificate of completion for VOCs.

Enclosed is a Regional Board Order requiring the submittal of a technical report pursuant to California Water Code section 13267 (Order). As the current property owner, you are required to comply with the Order to prepare and submit a technical soil investigation work plan to conduct an onsite soil investigation for soil sampling, to evaluate the presence of CrVI beneath the 3-stage clarifier.

You are required to submit the report to the Regional Board by **October 1, 2015**.

If you have any questions regarding this project, please contact **Mr. Larry Moore at (213) 576-6730** (Lawrence.Moore@waterboards.ca.gov or Dr. Arthur Heath at (213) 576-6725 (Arthur.Heath@waterboards.ca.gov).

Sincerely,



Samuel Unger, P.E.
Executive Officer

cc: Mr. Caleb Shaffer, USEPA Region 9
Mr. Gary Riley, USEPA Region 9
Ms. Frances McChesney, SWRCB Office of Chief Counsel
Mr. Leo Chan, City of Glendale
Mr. Bill Mace, City of Burbank Water Supply Department
Mr. Vahe Dabbaghian, Los Angeles Department of Water & Power
Mr. Jonathan Leung, Los Angeles Department of Water & Power
Mr. Richard Slade, ULARA Watermaster
Mr. Donald Nanney, Esq. Gilchrist & Rutter
Mr. Eric Smalstig, Geosyntec Consultants

Los Angeles Regional Water Quality Control Board

**ORDER TO PROVIDE A TECHNICAL REPORT
FOR SUBSURFACE INVESTIGATION
CALIFORNIA WATER CODE SECTION 13267 ORDER NO. R4-2015-0065**

**DIRECTED TO MR. ALAN SKOBIN
NORTHRIDGE PROPERTIES, LLC
777 NORTH FRONT STREET
BURBANK, CA 91502
(WIP NO. 109.6162)**

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, which authorizes the Regional Board to require the submittal of technical and monitoring reports.

1. During the 1998 United States Environmental Protection Agency Superfund investigation, information provided to the California Regional Quality Control Board, Los Angeles Region (Regional Board) from the Upper Los Angeles River Area Watermaster (ULARA) indicated some of the groundwater supply wells in the San Fernando Valley Groundwater Basin (SFVGB) had been contaminated by hexavalent chromium (Cr). Upon receipt of this information, the Regional Board re-evaluated the Chemical Use Questionnaire (CUQ) provided by each facility from the Superfund investigation to determine which facilities stored and/or used chromium compounds, including CrVI.

Based on evaluation of these CUQs, the Regional Board identified 112 sites needing further investigation to determine whether chromium and CrVI in the soil at these sites indicate whether past discharges of waste pose a threat to public drinking water supply wells or may have already polluted groundwater. These investigations are being conducted at each site under a Regional Board order dated March 15, 2004, pursuant to CWC section 13267.

2. California Water Code section 13267 states, in part: (b)(1) In conducting an investigation. . . , the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or, discharging, or who proposes to discharge waste within its region . . . shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.
3. The Regional Board finds that the person named herein is discharging, has discharged or is suspected of having discharged or is discharging waste within the Region based on evidence regarding chromium use at 777 North Front Street, Burbank, California (Site) in the following data sources:

- a. **Regional Board Documentation** - The documentation is comprised of technical reports, correspondence, site inspections, and other documents that have been compiled regarding the historical environmental investigations completed at the Site. Furthermore, the documentation includes documents provided to the Regional Board by other public agencies as well as newspaper articles. Aggregately this documentation indicates the extensive use of chromate salts (hexavalent chromium) as part of the aluminum chromate conversion coating operations performed at the former Zero Corporation (Zero Corp.) facility between the 1960s and late 1990s.

In 1975, Zero Corp. was cited by the Department of Health Services (DHS) and the City of Burbank for disposing excess chromium in a wastewater discharge. After an inspection of the Site and housekeeping activities, no further action was recommended by DHS. A land ban generator inspection report was written in August 1988 by DHS which primarily discussed chemical handling and disposal practices. The report did not indicate whether the chemicals had been discharged to the ground nor identify the presence of observed surface chemical staining.

In 1991, the City of Burbank was cited by USEPA for allowing Zero Corp. to exceed discharge limits for chromium, other heavy metals and volatile organic compounds (VOCs) to the Publicly Owned Treatment Works (POTW). These were later discharged to the Burbank Western Channel, which drains to the Los Angeles River, and the Crystal Springs well field.

The former Zero Corp. facility is located within the Burbank Operable Unit (BOU), a region within the San Fernando Valley Superfund Area. From 1920 to 1961, the Site was occupied by General Water Heater Company, and then was purchased by Zero Corp. for use by a division of the company called Zero Enclosures, whose primary business was fabrication of metal enclosures. Six buildings were constructed at the Site to house historical manufacturing operations. In addition to Zero Enclosures' operations, from 1964 to 1973, a part of the Site was leased to Ocean Technology Inc., a subsidiary of Zero Corp., which used the space to manufacture and assemble electronic products.

Zero Corp.'s manufacturing operations were discontinued in December 1991. From that point until 2002, the Site was used for storage (a 1995 city directory shows the occupant as Western Moving & Storage, Inc.) and later as film studios for the entertainment industry. After that time, the Site was unoccupied, with on-site buildings demolished in 2004. Current aerial photographs show that concrete pads and foundations remain on the Site. The Site was sold in 1998 by Zero Corp. to the Ford Leasing Development Company, which sold it to Mr. Alan Skobin and Northridge Properties, LLC (c/o Mr. Alan Skobin), in 2005. A parcel of land adjacent to the Site on the southwest was leased by Zero Corp. from the Southern Pacific Transportation Company for use as chemical storage. This parcel is currently owned by the City of Burbank and was used in part for realignment of Front Street.

Zero Corp.'s manufacturing operations included aluminum case drawing and washing, aluminum alodining (a metal coating process), chromate deoxidizing, steel phosphate coating and chromium sealing. The Zero Corp. facility contained paint booths, a water-based paint shop and drying booth), aluminum machining, etching, deoxidizing and cleaning, aluminum

vapor degreasing, and grinding. During Zero Enclosure's operations, the Site also contained four clarifiers, two underground storage tanks (USTs), two designated chemical storage areas, two paint storage areas, one oil storage area, one acid storage area, one acid/caustic soda storage area, and one hazardous waste staging area. In 1987, the two USTs, which had been used to store unleaded gasoline, were removed from the Site under Los Angeles County Department of Public Works (LACDPW) oversight. A building permit was issued in 1993 for the removal and/or abandonment of clarifiers on the Site. A review of historical information indicates that an industrial waste permit was issued to Zero Corp. in 1967. Wastes generated onsite included acetone, ketones, 1,1,1-Trichloroethane (1,1,1,-TCA), waste oil, waste acids and paint sludges. Hazardous materials used in and/or generated from industrial activities on the Site were stored in the storage areas described above (chemical storage, oil storage, acid storage, acid/caustic soda storage, and hazardous waste staging areas).

- b. **2009 CalTrans Environmental Investigation Report** – the report summarizes the onsite soil sample results from a soil investigation conducted on the property, near the former waste discharge features. The results revealed there were detectable concentrations of CrVI in the soil which exceed the typical background concentration in the native soils in the San Fernando Valley.

The CalTrans investigation also indicated that the shallow soil vapor results for volatile organic compounds (VOCs) such as perchloroethylene (PCE) and trichloroethylene (TCE) exceeded California Human Health Screening Levels (CHHSLs) in the shallow soils. Additionally, the report also suggests that subsurface VOC concentrations have rebounded significantly since the site was remediated in 2001.

NEW INFORMATION

- c. Additional Environmental Protection Agency Remedial Investigation (EPA RI) groundwater monitoring wells PWA-2 and PWA-3 were constructed on Front Street up and cross gradient to the Site. These wells were installed September 2012. Analytical results indicate concentrations of CrVI which are similar to the regional groundwater CrVI plume. The lifespan of the wells may be cut short, as they appear to be located in the new proposed CalTrans I-5 Freeway Widening Construction right of way.
 - d. In 2002, a responsible party for this Site (APW North America, Inc.) was issued a *Certificate of Completion* letter by the Regional Board as the Administering Agency pursuant to California Health and Safety Code §§ 25260 et seq. that addressed volatile organic compounds (VOCs), but not CrVI. Due to the occurrence of CrVI pollution in the regional aquifer providing public water supply, and because the compound was not part of the *Certificate of Completion* as specified in the Health and Safety Code, this action is justified and warranted.
4. This Order identifies Mr. Alan Skobin and Northridge Properties as the entities responsible for the discharges of waste or suspected discharges of waste identified in paragraphs a. through b.

above, because Mr. Skobin and Northridge Properties owns the property on which the waste is or has been discharged.¹

5. This Order requires the persons named herein to prepare and submit a technical report (work plan) to complete the onsite subsurface soil assessment work of the previous soil investigation.
6. The Regional Board needs this information in order to determine the vertical extent of CrVI in former soil boring SS-4 which is located within the area of a particular three-stage clarifier.
7. The burdens, including costs, of these reports bear a reasonable relationship to the need for the reports and the benefits to be obtained from the reports. The information is necessary to assure adequate cleanup of the former Zero Corp. site, which poses significant threats to public health and the environment.
8. 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, and Title 14 of the California Code of Regulations. This Order requires submittal of technical and/or monitoring reports and work plans. The proposed activities under the work plans are not yet known. It is unlikely that implementation of the work plans associated with this Order could result in anything more than minor physical changes to the environment. If the implementation may result in significant impacts on the environment, the appropriate lead agency will address the CEQA requirements prior to implementing any work plan.
9. 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: http://www.waterboards.ca.gov/public_notices/petitions/water_quality or will be provided upon request.

THEREFORE, IT IS HEREBY ORDERED that Mr. Alan Skobin and Northridge Properties, pursuant to section 13267(b) of the California Water Code, are required to submit the following technical reports:

On or before **October 1, 2015**:

1. A work plan (Technical Report) to complete the onsite soil investigation for CrVI and determine the vertical extent of CRVI contamination in former soil boring SS-4 which is located within the area of

¹ Under precedential Orders issued by the State Water Resources Control Board (State Water Board), Mr. Alan Skobin and Northridge Properties, LLC are liable for the cleanup of wastes at the Site regardless of its involvement in the activities that initially caused the pollution. The discharge of the chemicals did not cease when Zero Corporation vacated the premises. The State Water Board has interpreted the term "discharge" to include not only an active initial release, but also a passive migration of waste. The discharge continues as long as the waste remains in the soil and groundwater at the Site (See State Water Board Orders WQ 86-2 (Zoecon Corporation), WQ- 89-1 (Schmidt), and WQ 89-8 (Spitzer).)

a particular three-stage clarifier.

The guidance document entitled "*General Work Plan Requirements for a Heavy Metal Soil Investigation*" will assist you with this task. Additional information can be found in our guidance manual entitled "*Interim Site Assessment & Cleanup Guidebook (May 1996)*," which can be found at the Regional Board website at the following link:

http://www.waterboards.ca.gov/losangeles/water_issues/programs/remediation/brownfields/RBs%201996%20Guide%20Book1_1.pdf.

http://www.waterboards.ca.gov/losangeles/water_issues/programs/remediation/DocAndInfo/RWQC_B_QAPP_2015_FINAL_03-05-15.pdf

2. Specifically, the Technical Report shall be developed to evaluate the lateral and vertical extent of CrVI in subsurface soils in the area above the referenced three-stage clarifier. Moreover, the Technical Report shall include, but not be limited to the following:
 - a. Completion of one soil boring in the area of the three-stage clarifier;
 - b. The location of the boring will be determined in the field with Regional Board staff present;
 - c. The soil boring will be completed to a depth of at least 50-feet below ground surface (bgs). A determination will be made in the field by Regional Board staff whether the boring should be advanced to a deeper depth. The determination will be based on field observations and professional judgment;
 - d. The soil samples will be collected at 1-foot, 5-foot, and then every 5-feet until the desired depth is attained;
 - e. The soil samples will be analyzed for CrVI by EPA Method 7196;
 - f. Field log sheets will be generated during the completion of the boring; and
 - g. The soil boring activities and sample results will be provided to the Regional Board in a final report, which shall be submitted within 90 calendar days of the completion of the field work.
3. The Technical Report must contain a health and safety plan (H&SP), as per the February 2015 Quality Assurance Project Plan (QAPP) guidelines;
4. The Technical Report shall include the detailed information of former and existing chromium storage, hazardous waste management, and associated practices
5. The Technical Report must include a quality assurance/quality control QA/QC section, which discusses the types of field and laboratory QA/QC samples to be analyzed and how analytical data is validated and how suspect data is merged. For additional procedural information and

QA/QC guidelines refer to the following web link:

**[http://www.waterboards.ca.gov/losangeles/water_issues/programs/remediation/DocAndInfo/RWQC
B_QAPP_2015_FINAL_03-05-15.pdf](http://www.waterboards.ca.gov/losangeles/water_issues/programs/remediation/DocAndInfo/RWQC_B_QAPP_2015_FINAL_03-05-15.pdf)**

The above items shall be submitted to:

Mr. Lawrence Moore
Remediation Section
Los Angeles Regional Water Quality Control Board
320 West 4th Street, Suite 200
Los Angeles, CA 90013
Phone: (213) 576-6730
Email: Lawrence.Moore@waterboards.ca.gov

Pursuant to 13268(a) of the CWC, any person who fails to submit reports in accordance with the Order is guilty of a misdemeanor. Pursuant to section 13268(b) (1) of the CWC, failure to submit the required technical report described above by the specified due date(s) may result in the imposition of administrative civil liability by the Regional Board in an amount up to one thousand dollars (\$1,000) per day for each day the 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.

State Water Resources Control Board regulations (Chapter 30, Division 3 of Title 23 & Division 3 of Title 27, and California Code of Regulation) require the electronic submittal of information (ESI) for all site cleanup programs, starting January 1, 2005. Currently, all of the information on electronic submittals and GeoTracker contacts can be found at http://www.waterboards.ca.gov/ust/electronic_submittal.

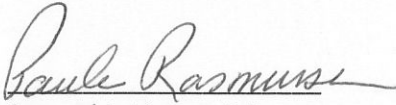
To comply with the above referenced regulation, you are required to upload all technical reports, documents, and well data to GeoTracker by the due dates specified in the Regional Board letters and orders issued to you or for the site. However, we may request that you submit hard copies of selected documents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

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 the 13267 Order. The perjury statement shall be signed by a senior authorized Company Name 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.

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Samuel L. Unger, P.E.

Executive Officer

June 3, 2015