



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

July 11, 2012

Ms. Jeanine Townsend  
Clerk to the Board  
State Water Resources Control Board  
1001 "I" Street, 24th Floor [95814]  
P.O. Box 100  
Sacramento, CA 95812-0100



Re: Item A-1824—July 17 Board Meeting

Dear State Water Board Members:

In a letter dated May 31, 2012, the State Water Resources Control Board ("State Water Board") scheduled a July 17th informational item ("Informational Meeting") concerning groundwater contamination in the Rialto Colton Basin ("Basin"). The State Board requested background information and a status update from other public agencies, the potentially responsible parties, and the affected communities.

In response to this request by the State Water Board, the United States Environmental Protection Agency, Region 9 ("EPA") submitted a Power Point presentation earlier today to update the State Board on the status of the cleanup. EPA representatives will also attend the Informational Meeting to present the Power Point and provide the Board with additional background information concerning EPA's activities to address groundwater contamination in the Basin.

U.S. EPA also reviewed the Joint Report and Update of Developments Related to SWRCB/OCC File NO. A-1824 ("Joint Report"), filed by the various stakeholders that EPA is working closely with to address groundwater contamination in the Basin. The Joint Report was

filed by the Regional Water Quality Control Board, Santa Ana Region (“Santa Ana Regional Board”); the County of San Bernardino (“County”); the City of Rialto; the City of Colton; the Emhart Parties; Pyro Spectaculars, Inc.; Astro Pyrotronics, Inc. ; the Peters Parties; Stonehurst LLC, and Trojan Fireworks Company (collectively the “Joint Reporting Parties”).

As noted in the Joint Report, the United States has reached tentative settlements with the majority of defendants in the ongoing federal litigation regarding the B.F. Goodrich Site. Pursuant to these agreements, Emhart, as the “work party,” will implement the remedy selected in EPA’s 2010 Record of Decision (“2010 ROD”) for the B.F. Goodrich Site (“Site”), in part with funding from other settling parties. As required by the 2010 ROD, this remedy will contain and treat the TCE and perchlorate contamination from the 160 acre source area. These settlements will also provide funds for additional response actions at the Site. EPA continues to negotiate with the remaining PRPs who have not settled, and trial is currently scheduled for June of 2013.<sup>1</sup>

EPA is also working on a final remedy to address groundwater contamination which may have migrated downgradient from the source area addressed by the 2010 ROD and anticipates selecting a final remedy for this area in 2014 or 2015. EPA anticipates that the final remedy will be implemented pursuant to CERCLA.

In addition to the substantial actions EPA is taking to address the B.F. Goodrich Site under CERCLA, the Santa Ana Regional Board is working with the County to oversee an existing remedy to contain perchlorate and TCE contamination from source areas in and near Unit 5 of the Mid-Valley Sanitary Landfill. This remedy has been up and running for more than

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<sup>1</sup> No further details of the tentative settlements just described can be provided at this time because the United States is currently engaged in settlement discussions with non-settling PRPs. These details will be publicly disclosed when the Consent Decrees are lodged with the federal district court and published for notice and comment in the Federal Register.

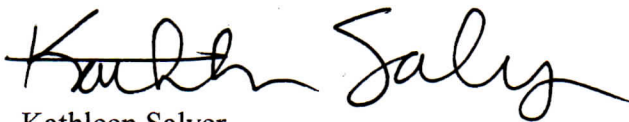
5 years and is designed to contain the perchlorate and TCE contamination from this source area. EPA understands that the Santa Ana Regional Board will participate in the Informational Meeting to provide additional information about the ongoing cleanup by the County for this source area.

Given the substantial work being done by EPA and the Santa Ana Regional Board to address the contamination, EPA supports the Joint Reporting Parties request that the State Water Board defer its active enforcement activities for those parties that have entered into tentative settlements with the United States, pending consideration of anticipated settlement developments over the next few months. As noted in the Joint Report, resolution of the Santa Ana Regional and State Water Board proceedings is critical to finalizing these settlements.

I look forward to providing additional information about EPA's ongoing activities to address the Site at the July 17, 2012 Informational Meeting.

Thank you for your consideration of this information.

Sincerely,

A handwritten signature in black ink that reads "Kathleen Salyer". The signature is written in a cursive style with a large, sweeping initial "K".

Kathleen Salyer  
Assistant Director, California Site Cleanup Branch  
Superfund Division  
U.S. Environmental Protection Agency Region IX