

2003-2004 GRAND JURY REPORT

City of Norco

Soil and Ground Water Contamination

Background

In 1964, the City of Norco was incorporated as a general law city. The preservation of rural life, horses, animal keeping and low-density housing are a primary concern for their citizens.

The 2004 operating budget for the City of Norco is approximately \$38,858,370. The Naval Weapons Assessment Center and the California Rehabilitation Center are the two largest employers, providing more than 1,500 jobs. Norco has a population of approximately 25,000 residents living within 14 square miles. The city has over 400 acres of parkland and 70 miles of horse trails.

Wyle Laboratories, an industrial testing facility "Facility" began operations in 1957 on 429 acres in a fairly isolated unincorporated area of Western Riverside County; this area is currently within the City of Norco. The Facility tested a variety of military products for the Department of Defense and commercial products for private industry. Rapid expansion of residential housing in the City of Norco began to encroach on the Facility. The Facility became the center of attention after numerous residents raised concerns of health risk to people and animals from exposure to cancer-causing chemicals used or spilled at the site.

Findings

1. In 1983, the Facility was added to the State's Abandoned Site List due to a lack of information concerning activities conducted at the site and the high level of security that limited access. In 1986, a California Department of Health Services (DHS) staff member was reviewing old department records, including phone books (1968-1972), and discovered a listing for the Facility and confirmed they were still doing business.

2. In May 1988, the California DHS conducted a Preliminary Assessment (PA) of the Facility and recommended a low priority site inspection. Additionally, DHS recommended that the California Environmental Protection Agency (California EPA) take no further action based on the following factors:
 - a. Low waste quantity.
 - b. Low ground water target population.
 - c. Lack of surface water target population.
 - d. Low potential for airborne release.
3. Residents living near the Facility since 1985 fear that the hazardous materials tested and the cancer-causing pollutants (volatile organic chemicals) found in the Facility's soil and ground water may be linked to a higher incidence of thyroid cancer cases in the community.
4. At the request of the City of Norco, a Cancer Epidemiologist at Region Five (5) of the California Cancer Registry reviewed the number of reported cancer cases from two (2) 1990 census tracts (0407.01 and 0408.03) and four (4) census tracts (0407.01-0407.03 and 0408.03) between the period January 1, 1988 – December 31, 2000. The report concluded that:

"The number of new thyroid cancer cases observed in the area of Norco where concerns were raised does not reveal significant differences from the number expected when considering age, sex and race/ethnicity distribution and population size."
5. During a joint Santa Ana Regional Water Quality Control Board (SARWQCB) and Department of Toxic Substances Control (DTSC) complaint investigation on June 12, 2001, soil and ground water samples were collected at the Facility. A certified testing laboratory analysis showed lead levels in one (1) sample to be approximately seven (7) times higher than the threshold for hazardous waste. This level indicated the need for further soil and ground water characterization at the Facility to delineate the scope of cleanup and abatement.

6. In 1985, Riverside County adopted Ordinances #615 and #651 that authorized the County of Riverside DHS Hazardous Material Division to issue permits and inspect business that:
 - a. Maintained underground storage tanks.
 - b. Generated and stored hazardous waste.

Table 1a and 1b show the inspection and enforcement activities conducted since 1993 by DHS at the Facility.

**Table 1a INSPECTIONS AND ENFORCEMENT ACTIVITIES
Riverside County Department of Environmental Health
Hazardous Materials Management Division**

DATE	AGENCY	ACTIVITY DESCRIPTION
July 1993	Hazardous Materials Handler	Hazardous Waste Generator and inspection of a 4,000-gallon Underground Storage Tank (UST).
August – December 1993	Hazardous Materials Handler	Granted facility an extension for compliance with violations noted July 1993.
December 1993	Hazardous Materials Handler	Follow-up on July 1993 inspection.
March 1995	Hazardous Materials Handler	Hazardous Waste Generator and Underground Storage Tank Inspection.
April 1995	Blasland, Bouck & Lee	Consultant hired by Industrial Testing Facility owners to conduct an environmental due diligence inspection.
June 1996	Blasland, Bouck & Lee	Provided oversight (at consultant request) of site remediation related to the environmental contamination.
July – October 1996	HMMD	Reviewed additional requirements for proposed site remediation.
October – November 1996	HMMD	Referred concerns regarding possible groundwater contamination to the Regional Water Quality Control Board (RWQCB). The RWQCB issued a clearance letter indicating data did not present a threat to groundwater.
November 1996 – November 1997	HMMD	Reviewed preliminary closure report, additional requirements, remediation and confirmation sample oversight.
August 1997	Hazardous Materials Handler	Hazardous Waste Generator and UST.
October 1997	HMMD	Granted facility extension for compliance with violations noted during August 1997 inspection.
November 1997	HMMD	Received a letter from facility owners certifying violation compliance noted during the August 1997 inspection.

**Table 1b INSPECTIONS AND ENFORCEMENT ACTIVITIES
Riverside County, Department of Environmental Health
Hazardous Materials Management Division**

DATE	AGENCY	ACTIVITY DESCRIPTION
June 1998	HMMD	Received final closure report for site remediation, issued clearance letter after extensive review. Sent copy of clearance letter to RWQCB.
October 1998	HMMD	Issued clearance letter to facility for closure of UST. UST properly closed and removed. No evidence of contamination found.
June 2001	RWQCB	RWQCB received complaints regarding contamination at the Testing Facility. A joint inspection with HMMD, Department of Toxic Substance Control.

Source: Riverside County, Department of Environmental Health, And Hazardous Materials Management Division.

Tables' 1a and 1b show the inspections and enforcement activities conducted at the Industrial Testing Facility by the Riverside County Department of Environmental Health, Hazardous Material Management Division.

7. Soil and ground water contamination has been found on the Facility's property. The map and tables 2a and 2b show the types and levels of contaminants found.
8. A number of homes have existed northwest and west of the Facility's property for many years. Expansion of residential developments began to encircle the site (See Vicinity Map). Since 1988, the following residential developments have been constructed or planned:
 - a. In 1988, Norco Hills was built immediately to the south.
 - b. In 2000, Stoneridge Estates was constructed along the Facility's southern boundary.
 - c. In 2002, the owners of the Facility sold the property to a developer for subsequent residential use. Plans have been submitted to the City of Norco Planning Department for the Creekside Ranch Development, a planned community consisting of 372 single-family units.

**Table 2a CONTAMINANTS FOUND IN GROUND WATER
AT INDUSTRIAL TESTING FACILITY**

SUBSTANCE	DESCRIPTION	SITES FOUND	HIGHEST AMT FOUND	MAXIMUM CONTAMINATION LEVEL
TCE TRICHLOROETHYLENE	SOLVENT USED TO DEGREASE EQUIPMENT. FIVE TEST WELLS EXCEEDED DRINKING WATER STANDARDS	3,4,5,9,10	8,500 ppb	5 ppb
CIS-1,2-DCE CIS-1,2- DICHLOROETHYLENE	FLAMMABLE COLORLESS LIQUID USED AS A SOLVENT; ALSO A BREAKDOWN PRODUCT OF TCE. EIGHT TESTING WELLS EXCEEDED ALLOWABLE LIMITS FOR DRINKING WATER	2,3,4,5,9,10	140 ppb	6 ppb
TRANS-1,2- DCE TRANS-1,2- DICHLOROETHYLENE	FLAMMABLE COLORLESS LIQUID USED AS A SOLVENT; ALSO A BREAKDOWN PRODUCT OF TCE. TWO TEST WELLS EXCEEDED DRINKING WATER ALLOWABLE LIMITS.	3,10	100 ppb	10 ppb
VINYL CHLORIDE	CREATED WHEN TCE BREAKSDOWN. TWO TEST WELLS EXCEEDED DRINKING WATER ALLOWABLE LIMITS.	4,10	15 ppb	2.0 PPB
PCE TETRACHLOROETHYLENE	SOLVENT USED TO DEGREASE EQUIPMENT. DETECTED IN THREE TEST WELLS AND SOIL.	3,5,10	79 ppb	5 ppb
PERCHLORATE	A SALT USED IN ROCKET FUEL AND MUNITIONS TESTED ABOVE REPORTABLE LEVELS AT TWO TEST WELL SITES. FOUND IN TWO SEPTIC SYSTEMS	5,6	7.9 ppb	4.6 ppb

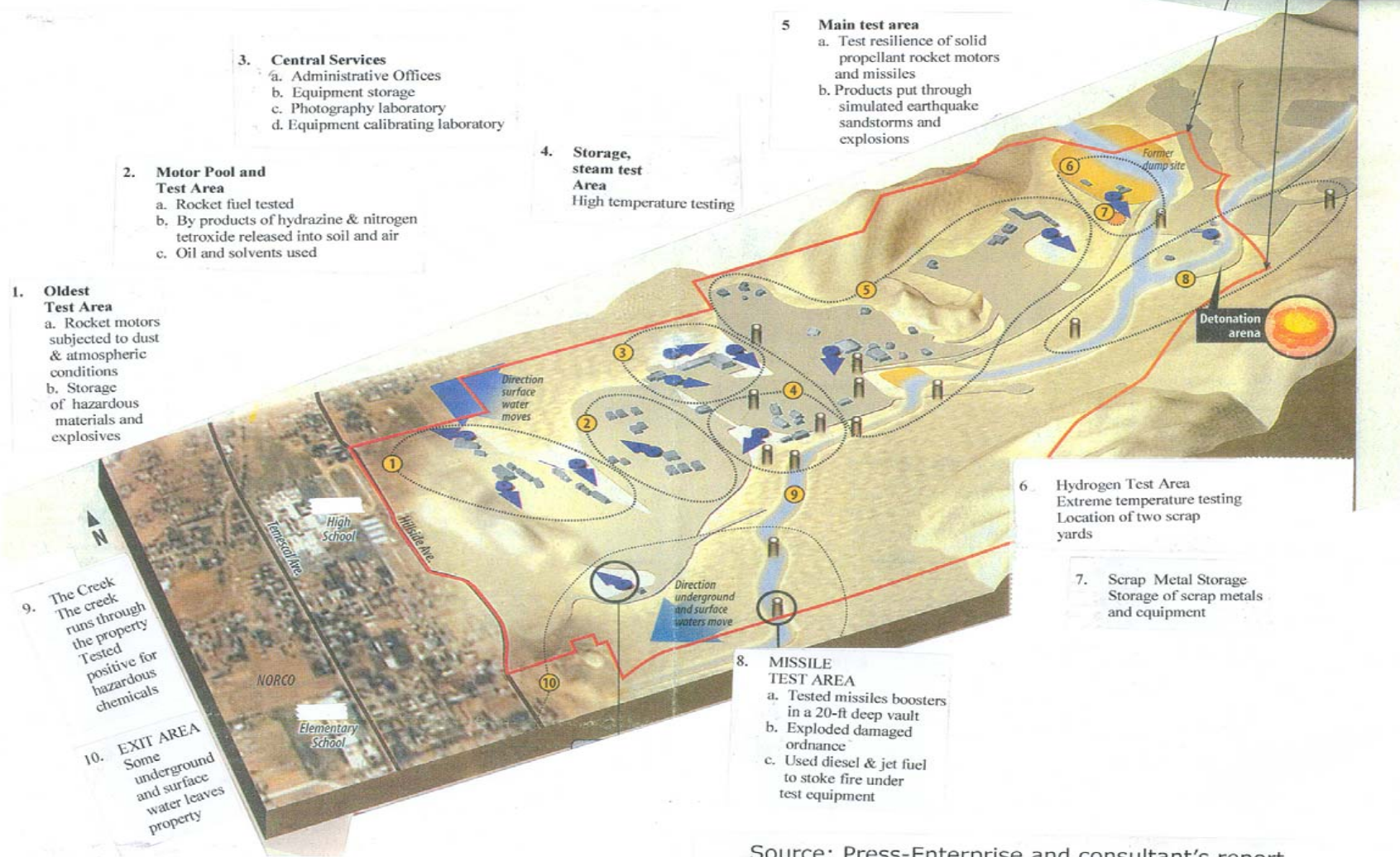
**Table 2b CONTAMINANTS FOUND IN GROUND WATER
INDUSTRIAL TESTING FACILITY**

SUBSTANCE	DESCRIPTION	SITES FOUND	HIGHEST AMT FOUND	MAXIMUM CONTAMINATION LEVEL (MCL)
LEAD	NATURALLY OCCURRING METAL USED IN FOSSIL FUELS, AMMUNITIONS AND SOME METALS. FOUND IN 13 SEPTIC SYSTEMS.	1,2,3,4, 5,6,7,8 10	None reported For water.	15 pbb
BENZENE	ROCKET FUEL COMPONENT. FOUND IN 2 SEPTIC SYSTEMS	3,4	9.2 ppb	5 ppb
PCB POLYCHLORINATED BIPHENYLS	OILY LIQUID OR SOLID; USED TO LUBRICATE OR COOL ELECTRICAL EQUIPMENT FOUND IN SOIL.	8	1.5 ppb	0.50 ppb
NDMA	YELLOW LIQUID, A COMPONENT OF ROCKET FUEL. DETECTED IN TWO TEST WELLS.	3,10	7.2 ppb	.0.01 ppb
HYDRAZINE	LIQUID ROCKET FUEL FOUND IN TWO TEST WELLS.	3,10	14 ppb	A maximum contamination Level not established

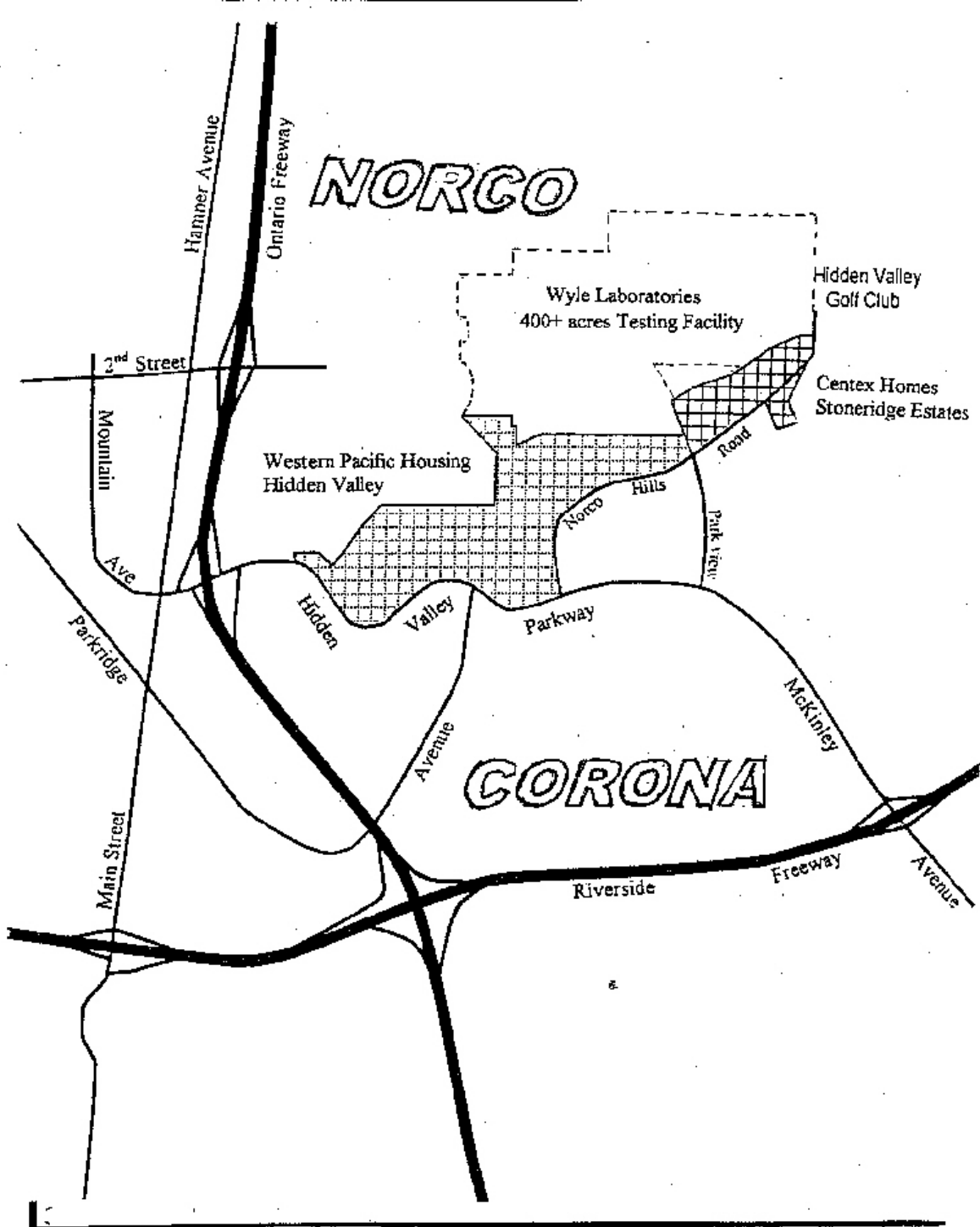
Sources Regional Water Quality Control Board and Consultants Report. (ppb – Parts per billion.)

This table show the types and concentrations of hazardous materials found in groundwater at the Industrial Testing Facility.

TESTING ACTIVITY AND CONTAMINATES FOUND



Source: Press-Enterprise and consultant's report.



Vicinity Map

9. Since 1990, the Facility was required to apply annually for renewal of its detonation permit. In 2002, numerous citizens expressed concerns to the Norco City Council regarding noise and vibrations coming from the Facility, which frightened children, horses and pets. On June 21, 2002, the Norco City Council, in spite of the citizen's requests, approved the renewal and re-issued the detonation permit.
10. In compliance with state law, the City of Norco was the lead agency for the Environmental Impact Report (EIR) for the proposed Creekside Ranch Residential Development. The Norco City Planning Department prepared the Notice of Preparation / Initial Study (NOP/IS) and the Specific Plan (March 2003) that was negligent in following the state and federal requirements.

The following three deficiencies are noted:

a) Correct identification of the hazardous status of the site.

The NOP/IS incorrectly states that the project site is not included on a list of hazardous materials sites compiled pursuant to California Code (Government Code Section 65962.5) the project is identified in two databases that constitute the aforementioned list:

- The site is listed on the DTSC "Calsites" database as a hazardous waste facility.
- The site is listed on the SARWQCB's "Spills, Leak and investigations and Cleanup List" (SLIC) for volatile organic compounds and hydrocarbons.

b) The proper notification of appropriate state agencies.

The NOP/IS was not properly distributed by the City of Norco to two responsible state agencies (DTSC and SARWQCB) in accordance with California Code (Public Code Section 21080.4a).

c) Cleanup and remediation information.

The NOP/IS did not provide necessary information regarding the cleanup and remediation activities that would be necessary before the proposed development could occur.

11. During the Norco City Council Meeting on January 17, 2002, residents who live near the Facility advised the Norco City Council that they fear health risks from contaminants exposed to the air, soil and water during the 40+ (plus) years of testing hazardous materials and conducting explosions. The residents requested Norco City Council provide information regarding past and present activities at the site. The City of Norco did not possess the requested information. Therefore, a group of residents formed a community action group named INSIST (Involved Neighbors Seeking Information, Safety and Truth). This group contacted the appropriate regulatory agencies (DTSC, SARWQCB and California EPA), which provided information regarding past and present conditions that may have impact, and proposed future activities (cleanup) that could threaten public health.

12. Through Grand Jury interviews with Norco City Council, reviewing regulatory agency reports and Norco City Council Minutes, it was discovered that an offer had been made in June and July 2003, to the Norco City Manager by a representative from California EPA that was not communicated to the Norco City Council. The offer was an opportunity to participate in "Split Sampling"* as an efficient and cost effective method for testing offsite locations for soil and ground water contaminants.

*Split Sampling is a method for collecting a single sample from the same specified locations, which is divided into two (2) samples and sent to different certified testing laboratories for analysis

13. After several meetings with concerned citizens, the Norco City Council approved funding on June 4, 2003 to conduct random sampling and testing of soil and ground water contamination in offsite locations along Hillside Avenue.

14. The review of regulatory agency reports, Norco City Council Minutes, interviews with Norco City Council and department heads, expressed little knowledge of the level of soil and ground water contamination on the Facility and to what extent contaminants may have traveled offsite. They were not convinced that the level of pollution was sufficient for any regulatory agency (federal, state or county) to order an immediate or crisis intervention. Consequently, the Norco City Council was not timely in convening a Community Town Hall Meeting with regulatory agencies and residents to update them on the status of soil and ground water contamination at the Facility. During the Community Town Hall Meeting on February 16, 2002, regulatory agency's representatives and Facility representatives made presentations regarding the site's past and present level of contamination, testing activities and inspections.

Recommendations

Norco City Council
Norco City Manager
Norco City Planning Department
Norco City Public Works Department/City Engineer

1. The Norco City Council and department heads develop strict environmental policies for business, as appropriate, that mandates:
 - a. Mandatory testing with periodic reporting.
 - b. Enforcement of applicable codes.
 - c. Periodic Inspections.
 - d. Compliance with appropriate state and federal laws.
 - e. Compliance with permit requirements.

2. The Norco City Council provide for the development of an electronic database, or linking to an existing database, to capture and disseminate information provided by regulatory agencies. (Federal, state and county).
3. The City of Norco work with property owners and community groups to provide education and recommendations to avoid and resolve the issue regarding random off-site testing of soil and ground water contamination.
4. The City of Norco implement a cost effective "split sampling" strategy with the appropriate regulatory agencies for conducting off-site soil and ground water testing.
5. The City of Norco Planning Department prepare a Draft Environmental Impact Report (DEIR) that assess the nature and extent of:
 - a) The contamination at the industrial testing facility site.
 - b) Proposed site remediation activities.
 - c) Potential effects of any cleanup activities on surrounding areas (include schools and residences).
 - d) Potential effects of residual contamination on future project inhabitants and the surrounding community.
6. The City of Norco request the California Cancer Registry to review reported cancer cases from the City of Norco census tracts during the period January 1, 2001 – December 31, 2003, and update their report.

Report Issued: 01/26/04

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Response Due: 04/26/04