

**STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2012-0023**

TO ALLOCATE \$3.5 MILLION FROM THE CLEANUP AND ABATEMENT ACCOUNT (CAA)
TO THE LOS ANGELES REGIONAL WATER QUALITY CONTROL BOARD
(LOS ANGELES WATER BOARD) FOR THE WEBER AIRCRAFT SITE AND
VICINITIES CLEANUP PROJECT (PROJECT)

WHEREAS:

1. The Los Angeles Water Board is requesting \$3.5 million from the CAA to fund the investigation and clean up as described below;
2. The former Weber Aircraft facility is part of an industrialized complex that included metal plating, machining, metal stripping, painting, and degreasing, which resulted in soil and groundwater contamination near the Bob Hope Airport in Burbank, California;
3. In two separate orders dated April 19, 2004, and October 2, 2006, the Los Angeles Water Board, pursuant to Water Code Section 13267, required Debtors PH Burbank and Lyondell to complete assessments, remove or remediate source areas, and monitor groundwater;
4. Resultant subsurface investigations indicate the soil and groundwater are contaminated with, among other constituents, highly elevated levels of volatile organic compounds, chromium, hexavalent chromium, tetrachloroethene and trichloroethene;
5. The responsible party, Lyondell Chemical Company and certain affiliates, filed bankruptcy in 2009 and in a court-approved settlement agreement; \$3.5 million was set aside to be used on Lyondell site(s) in the Los Angeles Region. This money was deposited into the CAA;
6. The funds will be used to further assess and remediate soil and groundwater contamination, impacted with heavy metals (hexavalent chromium) and volatile organic compounds; and
7. The requested allocation is consistent with the purposes of Water Code Section 13442. Section 13442 provides that the State Water Board may order monies to be paid from the CAA to a public agency with authority to clean up or abate the effects of a waste "to assist it in cleaning up the waste or abating its effects on the waters of the state."

THEREFORE BE IT RESOLVED THAT:

1. The State Water Board approves funding for \$3.5 million from the CAA to the Project;
and

2. Any unexpended funds to the CAA as of June 30, 2019, shall be reverted to the CAA unless the Deputy Director or Assistant Deputy Director of the Division of Financial Assistance authorizes an extension. The funds will be available until June 30, 2019.

CERTIFICATION

The undersigned, Clerk to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Board held on June 5, 2012.

AYE: Chairman Charles R. Hoppin
 Vice Chair Frances Spivy-Weber
 Board Member Tam M. Doduc
 Board Member Steven Moore

NAY: None

ABSENT: None

ABSTAIN: None



Jeanine Townsend
Clerk to the Board