United States Environmental Protection Agency
Region IX
POLLUTION REPORT

Date: Tuesday, April 25, 2006
From: Craig Benson

Subject: Continuation of Action
Toro Creek
1073 Toro Canyon Road, Summerland, CA
Latitude: 34.4569000
Longitude: -119.5600000

POLREP No.:	13	**Site #:**	Z918
Reporting Period:	3/12/05 - 4/20/06	**D.O. #:**	
Start Date:	1/12/2005	**Response Authority:**	OPA
Mob Date:	1/12/2005	**Response Type:**	Time-Critical
Demob Date:		**NPL Status:**	Non NPL
Completion Date:		**Incident Category:**	Removal Action
CERCLIS ID #:		**Contract #**	EP-R9-05-01
RCRIS ID #:		**Reimbursable Account #**	
FPN#	117026		

Site Description
See POLREP 1 in the documents link at www.epaosc.net/torocreek.

EPA involvement with the Toro Creek Oil Spill site was initiated in the summer of 1997 to support the California Department of Fish and Game (CADFG) with cleanup and control actions following vandalism that disabled a State installed oil/water separation system at this historic oil well site. The 1997 event resulted in the discharge of an estimated 3,000 gallons of oil to Toro Creek which impacted the creek for its full 4.5-mile length to the Pacific Ocean. In the years prior to the 1997 spill event, the State Regional Water Quality Control Board (RWQCB) and CADFG had responded to numerous oil discharges to Toro Creek and the Pacific Ocean resulting from primitive and improperly managed private oil/water separation systems on-site.

The State represented to EPA OSC B. Mandel that available State response funds would be exhausted by July 19, 1997, well short of the spill cleanup completion and installation of a new replacement treatment system. This factor, together with an on-site evaluation, led OSC Mandel to determine that the spill met the criteria for funding under the Oil Pollution Act of 1990 (OPA) and secured response funds from the Oil Spill Liability Trust Fund (OSLTF). Federal Project Number (FPN) 117026 was issued by Lt. Ron Chilton, USCG Dist. 11 on July 15, 1997.

The site is in a steep forested canyon (Toro Canyon) near Summerland, Santa Barbara County, CA. The Site is bordered upstream by the Los Padres National Forest, and by private property on the downstream edge. Land use in the Toro Canyon area is a mix of residential and agricultural uses, and as a perennial stream, the Creek provides critical wildlife habitat. Up to 50 gpm of an oil/water mixture discharges at the headwaters of the Creek from an abandoned collapsed oil mine portal dug some 200 feet into the side of the canyon. Historical records indicate this well was constructed in 1882 by excavating a horizontal shaft into the side of Toro Canyon. After the oil "miners" struck a heavy flow of ground water in the shaft, they then built a primitive oil/water separator and sold the water for irrigation downstream.

Geologists have advised that sealing the old horizontally-dug well cannot be successfully accomplished using any known techniques. The flow fluctuates minimally and favored the continued operation of an oil/water separator.

POLREPS 1-11 (through May 1999) summarize the completion of the cleanup actions resulting from the 1997 spill event and describe the design, installation and field modifications to an EPA installed treatment system. The main components of the system include a 800 gpm capacity two clarifier system featuring a primary bottom-less stainless steel separator with underflow baffles for oil-water separation. It was placed directly on top of the seep resulting in an upflow from the bottom into the separator. The separated oil flows into a buried chemhose pipeline which drops 300 feet in a 900 foot run to the collection tank. The tank is a 6,000 gallon capacity conventional double-walled fiberglass underground storage tank

(UST) providing secondary containment and is typical of those installed at gasoline stations. It is buried to provide security both from vandals and the threat of wildfire and uses conventional pipe fittings. The entire system has no moving parts and any elements not buried were enclosed in security fencing.

The most recent modification to the treatment system was added in the fall of 2002 and involved the construction of a 25-30 foot high mechanically stabilized segmental retaining wall to protect the upper oil/water separator enclosure from surficial sliding, slumping, and rock fall. The retaining structure was built following recommendations in a slope stability report commissioned by EPA. The retaining wall was necessary, in large part, due to slope instability caused by illegal grading and soil disturbance activities by the current property owner.

In March 2005, The ERRS contractor was used to clear and re-grade portions of the dirt access road leading to the upper oil/water separator enclosure and repair/install drainage culverts and water diversions damaged by rock-slide and heavy seasonal rainfall (see POLREP 12 at www.epaosc.net/torocreek.).

Treatment system inspection and maintenance activities have been accomplished under a series of uninterrupted site-specific EPA contracts since FPN inception. The latest contract was awarded in January 2005 and involves approximate tri-weekly site and treatment system inspections/coordination with the OSC and periodic transfer of accumulated oil to an approved facility.

On November 15, 2004, EPA OSC lead was transferred from OSC Mandel (retired) to OSC C. Benson. More complete background information and a more detailed chronology of project specific events can be found in the documents link at www.epaosc.net/torocreek.

Current Activities

03/09/05:
2,106 gallons crude oil pumped from UST and transported to Venaco Carpinteria Gas Plant On-Shore facility in Ventura County, California.

06/30/05:
Multi-agency Coordination Group Meeting held at Santa Barbara Fire Department Headquarters to discuss project history, the continued role of USEPA, OSTLF funding issues and limitations, system design and operating parameters, State/County funding options, and future system O&M strategies. The meeting provided a forum to re-introduce the Toro Creek project and future OSLTF funding concerns to local and State agency representatives (see 1st Multi-Agency Coordination Group Meeting minutes in the documents link at www.epaosc.net/torocreek.).

07/07/05:
2,204 gallons crude oil pumped from UST and transported to Venaco Carpinteria Gas Plant On-Shore facility in Ventura County, California.

09/06/05:
The California Regional Water Quality Control Board - Central Coast Region provided a written response to NPFC Case Officer B. Hildebrand concerning jurisdictional and funding issues identified as action items at the 6/30/05 meeting. The response included clarifying information on the use and access of the State Water Resources Control Board Cleanup and Abatement Account.

09/13/05:
2,379 gallons crude oil pumped from UST and transported to Venaco Carpinteria Gas Plant On-Shore facility in Ventura County, California.

11/03/05:
OSC Benson on-site. 1,176 gallons crude oil pumped from UST and transported to Venaco Carpinteria Gas Plant On-Shore facility in Ventura County, California. OSC Benson also visited the Venaco facility and met with Manager John O'Conner. Mr. O'Conner stated that his facility remained willing to accept the Toro Creek crude on a periodic basis at no charge, but the crude was not of high enough quality to warrant any type of payment.

02/09/06:
OSC Benson on-site. 1,759 gallons crude oil pumped from UST and transported to Venaco Carpinteria Gas Plant On-Shore facility in Ventura County, California.

04/20/06:
2nd Multi-agency Coordination Group Meeting held at the Carpinteria Veterans Memorial Building. The

purpose of this second meeting was similar to the first, but unlike the first meeting, was well attended by various Santa Barbara County officials. Regardless of future site responsibilities, it was agreed at the first meeting that Santa Barbara County would need to be a key participant in the site decision making process. The meeting focused on the need to develop recommendations/strategies for long-term operations and maintenance of the system that strive to prevent extraordinary (long term) expenses from the OSTLF. Several specific action items were listed (see 2nd Multi-Agency Coordination Group Meeting minutes in the documents link at www.epaosc.net/torocreek.). A 3rd meeting was scheduled for September 6, 2006.

Planned Removal Actions

Tri-weekly site and system inspections will continue under the existing EPA contract mechanism. Action items identified in previous Multi-agency Coordination Group Meetings will continue to be researched by EPA and the other assigned State and local agency entities.

Next Steps

- Continue coordination with NPFC Case Officer Hildebrand.
- Periodic OSC site visits to coincide with scheduled oil pump-out events.
- Preparation for September 6, 2006 Multi-agency Coordination Group Meeting.

Key Issues

- NPFC and DOJ have previously determined that the property owner has no ability to pay.
- No current media interest.
- The EPA system has collected approximately 73,230 gallons(1,744 bbl) of oil from the fall of 1997 through 2005. This translates to an approximate 600 gallons of oil/month that has consistently been prevented from entering Toro Creek.

Disposition of Wastes

Accumulated crude oil transferred off-site - project inception (7/97) through 2005.

Project inception - 5/19/99 (based on statement in Polrep 11): 21,765 gal.
6/99 - 6/00 (based on 15% increase on 2002 amount per Sweeney): 9,200 gal.
7/00 - 7/01 (based on 10% increase on 2002 amount per Sweeney): 8,800 gal.
7/01 - 12/01 (half-year estimate): 4,000 gal.
2002 (inspection records): 8,000 gal.
2003 (inspection records): 7,600 gal.
2004 (inspection records): 6,000 gal.
2005 (inspection records): 7,865 gal.

TOTAL THRU 2005: 73,230 gal. (1,744 bbl)

TOTAL 2002-2005: 29,465 gal. (701 bbl)

Monthly average (48 months): 614 gal. (14.60 bbl)