

**United States Environmental Protection Agency
Region IX
POLLUTION REPORT**

Date: Tuesday, January 8, 2008

From: Craig Benson

To:	Francisco Arcaute, USEPA	Andrew Helmlinger, USEPA
	Daniel Meer, USEPA	George Baker, DTSC
	Barbara Lee, USEPA	Celeste Temple, USEPA
	polrep polrep, NPFC	Sheila Soderberg, RWQCB-Central Coast
	Steven John, USEPA	Paul Hamdorf, CADFG
	Ken Wilson, CADFG	Sherry Fielding, USEPA
	DOI DOI, DOI (Federal Trustee)	Rob Wise, USEPA
	Jason Musante, USEPA	Jim Hanson, USEPA
	Steve Sawyer, CADFG OSPR	Rich Chandler, RWQCB
	Tom Franklin, SB County Fire	Kate Sulka, SB Co. Fire
	Bob Hildebrand, NPFC	Vicki Rosen, EPA
	Jim Vreeland, EPA	John Baker, Santa Barbara County
	Scott Coffman, Carpinteria-Summerland Fire District	Richard Evans, Carpinteria-Summerland Fire District
	Matt Naftaly, Public Works Water Agency	

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

POLREP No.:	15	Site #:	Z918
Reporting Period:	3/20/07 - 12/31/07	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. Use of response funds from the OSLTF will not be authorized indefinitely and since early 2005, EPA and USCG efforts have focused on transitioning project operations to a local or State agency. These efforts continue.

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

05/02/07:

As a result of a request resulting from the third Multi-agency Coordination Group Meeting held in Santa Barbara on 3/12/07, OSC Benson coordinated a participating agency attorney conference call on 5/2/07. Participants included: OSCs Benson, County CEO Jim Laponis; County Council Rick Sanchez; CADFG OSPR Council Steve Sawyer; EPA Council Andrew Helmlinger; State Water Resources Control Board Council Lori Okun; NPFC Council Tom VanHorn; NPFC Case Officer Bob Hildebrand; and NPFC representative Greg Buie.

An EPA lead to County and/or State lead transition goal was announced for the period September 07 - January 08. Lori Okun represented that State Water Resources Control Board Cleanup and Abatement Account grant funding may be available to the County or State Department of Fish and Game. OSC Benson agreed to attempt to contact the original design engineer for the oil/water treatment system and to scope a contract for an on-site system evaluation and report of findings for the benefit of long-term cost and resource planning. County personnel also expressed an interest in a future on-site visit.

05/14/07:

State Water Resources Control Board Council Lori Okun sent an e-mail to County Council Rick Sanchez advising that she had confirmed that funding for maintenance of the Toro Creek system was available from the Cleanup and Abatement Account (subject to final approval). Ms. Okun presented application instructions and timetables and requested to be kept in the loop by the County to help shepherd the process.

06/11/07:

EPA contracted with Gregory Pittner (original system engineer) of Premier Systems Group Inc. The contract scope of work included an evaluation of:

1. Condition of the existing equipment.
2. Performance of the existing equipment.
3. Recommended equipment repairs.
4. Forecast of anticipated equipment repairs which may be required over 10 years of op's.
5. Forecast of operating requirements for the next 10 years of op's.

07/05/07:

Joint engineering inspection and County site visit. Present were OSC Craig Benson, EPA contractor Dave Sweeney, Gregory Pittner, County CEO Jim Laponis, County Council Rick Sanchez, County Planning and Development Dept. Representative Mike Zimmer and a County Roads Dept. Representative.

OSC Benson provided the County representatives with a full site tour and Messrs. Pittner and Sweeney assisted with design and operation and maintenance related inquiries. At this time, Mr. Sanchez reported that to his knowledge, the County had not acted on the Cleanup and Abatement Account application process.

08/20/07:

In an e-mail to OSC Benson, Lori Okun stated that she had not seen an application from Santa Barbara County for State Cleanup and Abatement Account funding or received any contact from the County.

08/27/07:

EPA received the Toro Canyon Oil/Water Separator Status Report from Premier Systems Group Inc. The report documented that the system is operating as designed with very few recommendations for improvement. By adopting the minor repairs (to be scheduled in early 2008), the report states that "the system is not expected to require any maintenance for the next 10 years. It is not anticipated that any component of the system will fail during the next 10 years unless vandalized or disturbed by a major rain or seismic event".

09/04/07:

County CEO Jim Laponis contacted OSC Benson to report the following: At a recent closed session of the Santa Barbara County Board of Supervisors, there was a unanimous vote that the County would not be involved in any way with the Toro Creek project including any participation in future operation and maintenance. The County had decided to remove themselves entirely from the issue. Mr. Laponis said that there would be no written record of the decision and could offer no specific information concerning the matter.

09/06/07:

OSC Benson presented the recent development to Branch personnel. EPA Council Andrew Helmlinger to deliver a position letter to Santa Barbara County.

09/15/07:

2,200 gallons crude oil pumped from UST and transported to Venaco Carpinteria Gas Plant On-Shore facility in Ventura County, California.

12/21/07:

2,100 gallons crude oil pumped from UST and transported to Venaco Carpinteria Gas Plant On-Shore facility in Ventura County, California.

Planned Removal Actions

Tri-weekly site and system inspections will continue under the existing EPA contract mechanism.

Next Steps

- Continue coordination with NPFC Case Officer Hildebrand.
- Schedule minor system maintenance 1st quarter 08'.

Key Issues

- The Santa Barbara County Board of Supervisors vote to remove the County from involvement with the

Toro Creek project represents a significant set-back to transitioning this effort to local control. The transition goal of January 08' will not be met. Alternative funding sources and local/state agency participation will be required to keep the system operating after depletion of OSLTF funds sometime during fiscal year 08'.

- No current media interest.
- In this reporting period, there have been no incidents affecting system performance. There has been no slope instability caused by illegal soil disturbance activities and the dirt access road is in good repair.
- The average monthly collection of oil remains within the range first predicted in 1997 (approx. 16 bbl/mo.).

Estimated Costs *

	Budgeted	Total To Date	Remaining	% Remaining
Extramural Costs				
FPN To Date	\$850,000.00	\$750,000.00	\$100,000.00	11.76%
Intramural Costs				
Total Site Costs	\$850,000.00	\$750,000.00	\$100,000.00	11.76%

* The above accounting of expenditures is an estimate based on figures known to the OSC at the time this report was written. The OSC does not necessarily receive specific figures on final payments made to any contractor(s). Other financial data which the OSC must rely upon may not be entirely up-to-date. The cost accounting provided in this report does not necessarily represent an exact monetary figure which the government may include in any claim for cost recovery.

response.epa.gov/torocreek

POLREP #15 Last Updated 1/8/2008