

## It's time for Rialto to call in the EPA

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When is enough enough? When should Rialto throw in the towel and call in the big dogs?

The city has been fighting for a decade to get suspected polluters, including major corporations and the Pentagon, to pay the costs of cleaning up perchlorate that has contaminated Rialto's wells. But the lawsuits and extended legal battle have cost more than \$18 million so far and could go much higher.

And while Rialto's city attorney seems content to play David to the suspected polluters' Goliath - albeit, with the help of a cadre of top-level lawyers - it's chiefly customers of the city's water utility that have had to bear the burden, and the brunt of the costs, with no quick end in sight. So far, the city has spent the equivalent of its Police Department's budget on the fight.

The city's water agency serves about half of Rialto, with Fontana Water Co. and West Valley Water serving the rest. And so, it is about half of Rialto residents who are footing the bill for the city's legal juggernaut. The surcharge on water bills starts at \$6.85 a month and rises from there.

If Rialto eventually wins its case in court, resident ratepayers will be reimbursed. But that could be a long time in coming. And the total for actual cleanup of the contaminant could be \$300 million.

Besides ratepayers' hefty chunk, the City Council also contributed \$5 million from general fund reserves to escalate the fight last year. But even the council has become leery, without seeing much in the way of results.

Why won't Rialto call in the cavalry and ask the feds for help? We're sure city ratepayers would like to know.

Why is it that the city has insisted on going it alone, without bringing the resources of the U.S. Environmental Protection Agency to bear?

Commenting on Rialto's reluctance to do the logical thing, Penny Newman, executive director of the Center for Community Action and Environmental Justice, said, "I think going with EPA and the Superfund program is probably the strongest mechanism a city or community has. I'm always amazed that people - communities - shy away from that."

Indeed, Rialto has become almost territorial in pursuing the fight on its own. It's almost as if time and money were no object. Let the ratepayers pay it - that seems to be the city's attitude.

But with the pricetag reaching into the millions, it's time to regroup. The city needs to take a more regional approach and spread out the costs.

Rialto initially considered going with EPA. But after looking at a variety of Superfund projects, and finding that each took 17 to 27 years to start cleanup, the city felt it would take too long, said City Attorney Bob Owen.

So, this is any better? How long does the city expect ratepayers to keep fronting litigation costs?

The state Water Resources Control Board, which has taken over from the Santa Ana Regional Water Quality Control Board, plans hearings in August. At that time, it could order three suspected polluters - Goodrich, Pyro Spectaculars and Emhart Industries, parent company of Black and Decker - to remove the contamination.

Then again, those companies all have been fighting long and hard to delay any consequences.

The San Gabriel Valley Water Co., which owns Fontana Water Co., and the West Valley Water District have urged Rialto go with a regional coalition that works with the EPA.

Rialto has been fighting for cleanup of the Rialto-Colton Basin, without regard for pollution of West Valley and Fontana wells.

And while a fault separates the West Valley and Fontana wells from the Rialto-Colton Basin, such that the regional agency has said it can't prove the suspected Rialto-area polluters caused contamination of the other wells, it's all the more reason for a regional approach that takes all of the pollution into account.

Yet Rialto persists in its one-sided struggle.

Better to lean on the EPA - and save residents the aggravation.

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