



REGION 9

SAN FRANCISCO, CA 94105

March 28, 2024

Kyle McLaughlin
Compliance Manager
K-Pure Waterworks
8910 Rochester Ave.
Rancho Cucamonga, CA 91730

RE: CERCLA Off-Site Rule Acceptability Determination for K-Pure Waterworks

Dear Compliance Manager McLaughlin:

This letter responds to your request to the U.S. Environmental Protection Agency (EPA), Region 9, for a determination of acceptability to receive wastes under Section 121(d) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. §§ 9601-9675 (CERCLA), and the associated regulations in 40 C.F.R. Part 300 ("Off-Site Rule" or "Rule") for the K-Pure Waterworks ("Facility") located at 8910 Rochester Ave. in Rancho Cucamonga, CA.

The Off-Site Rule regards the off-site transfer of hazardous substances, pollutants, or contaminants ("CERCLA waste") from sites with response actions authorized or funded under CERCLA. The Rule establishes criteria and procedures for determining whether facilities are acceptable for the receipt of CERCLA waste. Under the Off-Site Rule, EPA must determine, prior to a facility's initial receipt of CERCLA waste, that there are no relevant releases or relevant violations at the facility.

K-Pure Waterworks receives and treats non-hazardous wastewater at the Facility. EPA corresponded with local and state agencies to determine the Facility's compliance with applicable environmental standards for these activities. The results of the correspondence indicate that K-Pure Waterworks is currently in compliance with the applicable standards. Therefore, EPA has determined that the Facility is acceptable to receive CERCLA waste. This acceptability determination for the Facility is limited to the receipt of non-hazardous wastewater. It will be K-Pure Waterworks' responsibility to review any proposed waste streams for compliance with the Facility's permits.

In making this determination, EPA reviewed past notices of violations at the Facility but concluded that those violations are no longer relevant for purposes of the Off-Site Rule, considering the corrective actions taken. If future violations occur at the Facility that EPA determines may be relevant under the Off-Site Rule, EPA may revisit this determination.

If you have any questions, please contact me, Region 9's CERCLA Off-Site Rule Coordinator, at (415) 972-3994 or at macarthur.jennifer@epa.gov.

Sincerely,

Jennifer MacArthur
Region IX CERCLA Off-Site Rule Coordinator