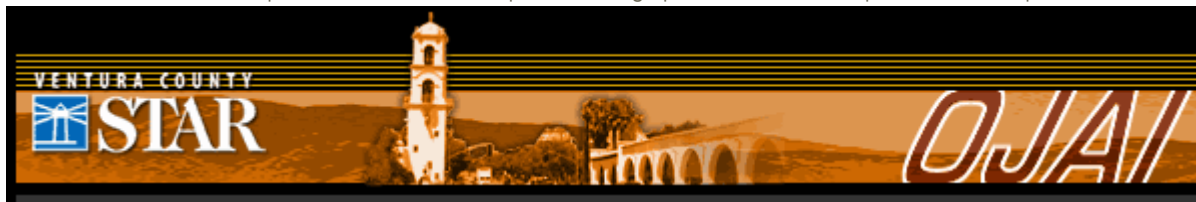




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- [Saturday, Dec 11](#)
- [Friday, Dec 10](#)

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County settles suit for \$1.43 million

Ojai Valley family sells property with contaminated groundwater

By Charles Levin, clevin@VenturaCountyStar.com
December 10, 2004

Ventura County has settled a lawsuit for \$1.43 million with an Ojai Valley family that claimed officials knew hazardous chemicals had leaked for years from a county transportation yard into groundwater underneath their home and were slow to clean it up.

Patrick and Andrea Rooney, their six children and four other people who lived at or visited the couple's 2-acre property sued the county last year, claiming the contamination had caused multiple health problems.

As part of this week's settlement, the county will get the Rooneys' property, which sits across the street from the county yard, Bruce Finck, the county's attorney, said Thursday.

David Bender, the Rooneys' attorney, said his clients were pleased. "They're happy to have it behind them and move on," Bender said Thursday.

Finck said the cost of the settlement was a little high, but the family had the property appraised at \$1.4 million if not contaminated.

Most importantly, Finck said, the settlement allows the county and Regional Water Quality Control Board to clean up the contamination. After that's finished, the county plans to sell the parcel on El Roblar Drive just west of Highway 33, Finck said.

A federal judge had ordered the case to be mediated. Both sides agreed on the settlement after a fourth meeting -- a marathon session that ended after midnight Monday, Finck said.

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The county Board of Supervisors unanimously approved the settlement Tuesday, County Counsel Noel Klebaum said.

The October 2003 suit claimed that about 15 million gallons of contaminants leaked from the yard at 1768 Maricopa Highway to groundwater beneath the Rooneys' house.

The county has maintained the yard since the 1950s.

The yard had at least two underground tanks of diesel and gasoline, and workers there changed oil on vehicles, repaired engines and used degreasers, according to the lawsuit.

The county found a leaking fuel tank after it was removed around 1988, Finck said.

The county installed monitoring wells in the early 1990s and proposed an experimental cleanup plan, but permit delays and the lawsuit kept the cleanup from starting, Finck said. Tests by the county last month found little evidence of contamination, Finck said.

Bender disagreed. "The testing showed there are 15 million gallons of contaminated groundwater," he said.

Three owners of Applied Environmental Technologies, a company hired to test and clean up the spill and also named in the suit, settled for \$350,000 last month, Finck said.

Claims against the regional water board, also named as defendants, were dismissed shortly after the suit was filed.

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