



California Regional Water Quality Control Board  
Central Valley Region  
Katherine Hart, Chair



Matthew Rodriguez  
Secretary for  
Environmental Protection

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<http://www.waterboards.ca.gov/centralvalley>

Edmund G. Brown Jr.  
Governor

15 September 2011

Mr. Joey Cupp  
Environmental Manager  
Pilot Travel Centers LLC  
5508 Lonas Road  
Knoxville, TN 37909

**TRANSMITTAL, FINAL AMENDED CLEANUP AND ABATEMENT ORDER NO. R5-2004-0709, ISSUED TO DEL PINNLAND; DUDLEY AND PETTY, INC.; NORTH EAST, LLC, CFJ PROPERTIES; LOVE'S TRAVEL STOPS AND COUNTRY STORES, INC.; AND PILOT TRAVEL CENTERS, LLC.**

Enclosed is a copy of the final version of Cleanup and Abatement Order No. R5-2004-0709 (the "Order"), which addresses your comments of 31 August 2011; see Finding 11 and Required Action 8. This Order is being issued pursuant to Water Code section 13304 to address discharges of waste and threatened discharges of waste. This Order requires the Dischargers to cleanup and abate, forthwith, the effects of wastes discharged or threatened to be discharged to surface water drainage courses or groundwater. Specifically, the Dischargers are directed to:

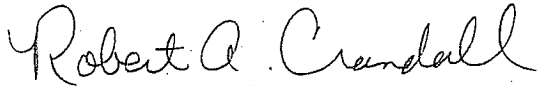
- By **19 September 2011**, implement a previously submitted work plan to further investigate petroleum pollutants near a former aboveground storage tank (AGT) farm site.
- By **3 October 2011**, submit a work plan to further investigate chlorinated solvents at the AGT farm and old service station sites.
- By **1 December 2011**, submit a Notice of Intent for in-situ treatment of chlorinated solvents near the AGT farm site under General Order R5-2008-0149. Include a Remedial Design Plan and time schedule for implementation **within 90 days** of Notice of Applicability.
- Submit remedial status and groundwater monitoring reports, **as specified**.
- Provide uninterrupted replacement water to affected parties, in compliance with Water Code Section 13304, subsections (f) and (g).

Failure to comply with the enclosed Order may result in further enforcement action pursuant to Water Code section 13350, which may result in civil liabilities of up to five thousand dollars (\$5,000) per day for each violation. In addition, the Board may seek injunctive relief by authorizing the Attorney General to petition the Superior Court for an injunction requiring

*California Environmental Protection Agency*

compliance with the Order. The Court may grant a prohibitory injunction stopping all activities until compliance is achieved.

In order to conserve paper and postage, paper copies of this Order are only being provided to the Discharger. Electronic copies are available on the Central Valley Water Board's website at <http://www.swrcb.ca.gov/rwqcb5/>. Those without internet access can request a copy by contacting Central Valley Water Board staff. If you have any questions, please contact Eric Rapport of my staff at (530) 224-4998 or the letterhead address.



ROBERT A. CRANDALL  
Assistant Executive Officer

EJR: jmtm

Enclosures: Amended Cleanup and Abatement Order R5-2004-0709; including attachments  
A, B, C, and D

cc: Central Valley Regional Water Quality Control Board, Regional Board Members,  
Rancho Cordova  
Pamela Creedon, Executive Officer, Rancho Cordova  
Matthew Rodriguez, California Environmental Protection Agency, Sacramento  
Patrick Pulupa, State Water Resources Control Board, Sacramento  
State Water Resources Control Board, Compliance and Enforcement Unit, Sacramento  
Larry Olson, Tehama County Environmental Health Department, Red Bluff  
Steve Kimbrough, City of Corning  
Jan Greben, Greben and Associates, Santa Barbara  
Paul Cunningham, Corning  
Troy Stout, Corning  
Perry Stout, Corning  
Rocky Harris, Corning  
Pedro Lopez, Corning  
Rowena Curry, Corning  
Robert Lucero, Corning  
Ron Hansen c/o Glassblowers, Corning  
Tom Venus, Broadbent and Associates, Chico

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CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

AMENDED CLEANUP AND ABATEMENT ORDER R5-2004-0709  
FOR

DEL PINNLAND,  
DUDLEY AND PETTY, INC.,  
NORTH EAST L.L.C., A UTAH LIMITED LIABILITY CORPORATION,  
CFJ PROPERTIES, A UTAH GENERAL PARTNERSHIP,  
LOVE'S TRAVEL STOPS & COUNTRY STORES, INC.,  
AND  
PILOT TRAVEL CENTERS, LLC  
CORNING, TEHAMA COUNTY

This Order is issued to Del Pinnland; North East, LLC; CFJ Properties; Love's Travel Stops & Country Stores, Inc.; and Pilot Travel Centers, LLC (hereafter collectively referred to as "Dischargers"), based on provisions of Water Code section 13304 and Health and Safety Code section 25296.10, which authorize the Central Valley Regional Water Quality Control Board ("Central Valley Water Board," or "Board") to issue a Cleanup and Abatement Order ("Order"), and Water Code section 13267, which authorizes the Central Valley Water Board to require the preparation and submittal of technical and monitoring reports.

The Executive Officer finds, with respect to the Dischargers' acts, or failure to act, the following:

**PROPERTY OWNERSHIP**

1. From 1947 to 1965, Del Pinnland ("Pinnland") owned about 11.83 acres at 2120 South Avenue, Corning, California, Section 27, T24N, R3W, MDB&M, Tehama County APN 087-050-38, 087-050-39, 087-050-40 and 087-050-44 (the "Site").
2. Around 1965, Dudley and Petty, Inc., a.k.a. Dudley & Associates, a California Corporation ("Dudley and Petty"), purchased the Site. In 1986, Dudley and Petty filed for bankruptcy. Subsequent investigations, conducted under the direction of a trustee, showed pollution in groundwater. In 1996, the Board's Executive Officer issued Cleanup and Abatement Order 96-701 to Dudley and Petty.
3. In 2004, the Tehama County Tax Assessor sold the Site. On 4 June 2004, North East, LLC, a Utah Limited Liability Corporation ("North East LLC") bought the tax-defaulted Site at public auction. The Executive Officer rescinded Order 96-701, and issued Cleanup and Abatement Order R5-2004-0709 to North East LLC. North East LLC redeveloped the Site as a Flying J Truck Stop.
4. On 15 June 2007, North East LLC transferred ownership of the Site to CFJ Properties, a Utah General Partnership ("CFJ"), who continued operating the Flying J Truck Stop, and continued investigation and cleanup.
5. On 30 June 2010, CFJ transferred ownership to Love's Travel Stops & Country Stores, Inc. ("Love's"), who now does business on the Site as a Love's truck stop. Prior to the title transfer, Love's and Pilot entered an asset purchase agreement wherein Pilot retains responsibility for existing environmental conditions.

## BACKGROUND

6. On the Site, from 1947 to 1965 Pinnland owned and operated a truck stop, service station, and grease and tire shop, and leased facilities to Orchard Services, Incorporated ("OCI"), a business that modified military surplus vehicles into olive haulers. In 1965, Dudley and Petty expanded operations, leasing facilities to a radiator shop, tire dealership, and truck wash. Based on interviews with Dudley and Petty's former site manager, a neighboring property owner, and other knowledgeable parties, a diesel fuel spill occurred on the Site in the 1970s. Near the eastern boundary, a truck driver broke a six-inch diameter valve near the base of an aboveground storage tank ("AST"), spilling about 6,000 gallons of fuel. A portion of the spill flowed overland off-site east and southeast, across South Avenue, and into drainage ditches. The manager also described metal parts cleaning east of the former tire and radiator shops, in the northeast portion of the Site.
7. As of 1986, Dudley and Petty were operating seven 25,000-gallon, two 30,000-gallon, and two 15,000-gallon ASTs near the eastern Site boundary. These contained diesel fuel and gasoline. Near the former fuel islands, Dudley and Petty were operating a 5,000-gallon motor oil underground storage tank ("UST"), and 11 USTs ranging in capacity from 250 to 550 gallons; these held petroleum products such as gear oil and motor oil. Prior to 1986, Dudley and Petty had operated a 12,000-gallon UST at a cardlock in the north-central portion of the Site, and five of the ASTs, previously located at the former service station. Around 1986, OCI moved from the Site to an adjacent property. Attachment A, which is attached hereto and made part of this Order, shows relevant Site features as of 1986.
8. In February 1988, Dudley and Petty filed an Unauthorized Release (Leak)/Contamination Site Report with the Tehama County Environmental Health Department based on observed petroleum in soils near USTs. On 11 April 1991, Central Valley Water Board staff witnessed free-phase product on shallow groundwater in two test pits east of the Site, at the McCoy's Hardware Store and OCI facilities. Follow-up laboratory analyses indicated diesel fuel. Further investigation has shown that the free phase product correlates with fuel spills from Dudley and Petty.
9. On 8 November 1993, and 19 January 1994, staff sampled the Duncan (Oldfield) private domestic well, east of the Site. Follow-up laboratory results showed Trichloroethene (TCE) and cis-1,2-Dichloroethene (c-DCE) up to 11.7 and 25.7 micrograms/Liter ( $\mu\text{g/L}$ ), respectively.
10. In 1998, Dudley and Petty destroyed two water supply wells on the Site under Tehama County Environmental Health Department Permit. These wells were near the former truck wash, in the northeast portion of the Site, and near the former café in the southwest corner; see Attachment A for locations. In 1999, with funding from the State Water Board's Cleanup and Abatement Account ("CAA") Dudley and Petty removed the 12,000-gallon UST at the cardlock site and over-excavated 3,500 cubic yards of soils with diesel fuel contamination.

11. In 1999, staff discovered chlorinated ethenes in three domestic wells on Toomes Avenue, east of the Site. In 2000 and 2001, staff further sampled local domestic wells. Results showed chlorinated ethenes in six domestic wells on Toomes and Houghton Avenues; see Attachment B, which is attached hereto and made part of this Order. With funding from the State Board, CAA staff directed the installation of granulated activated carbon ("GAC") units on these wells. In June 2003, Dudley and Petty sampled domestic, irrigation, and industrial wells within 2,000 feet of the Site. Results showed chlorinated ethenes in five of the six previously identified domestic wells. Results included an additional detection of Perchloroethene (PCE) in the Hansen (Glassblowers) well northwest of the Site. As part of a settlement with the bankruptcy court, Dudley and Petty funded extension of piped potable water services to the Hansens. Due to concerns of a potential vertical pollution conduit, as part of the settlement staff requested destruction of the Hansen well under Tehama County Environmental Health Department permit. Staff has similarly requested destruction of the Duncan (Oldfield) well. While both wells are inactive, to date staff has received no evidence of well destructions. The following table shows representative detections in local domestic wells.

**Representative Chlorinated Ethene Detections in Raw (Unfiltered) Water from Domestic Wells, Former Dudley and Petty Truck Stop Vicinity, Results in µg/L**

Owner	Address	Date	PCE <sup>1</sup>	TCE <sup>1</sup>	c-DCE <sup>1</sup>	t-DCE <sup>1</sup>
Duncan (Oldfield)	2040 South Ave.	11/8/93	<0.3	11.7	25.7	<0.3
		6/5/03	<0.50	3.66	3.79	<0.50
Cunningham	3760 Toomes Ave.	7/27/00	<0.50	1.8	<0.50	<0.50
		6/3/03	<0.50	0.98	<0.50	<0.50
Stout	3790 Toomes Ave.	7/27/00	<0.50	5.9	4.5	<0.50
		6/3/03	<0.50	5.83	5.01	<0.50
Harris (Henderson)	3900 Toomes Ave.	7/27/00	<0.50	9.6	8.2	0.6
		6/3/03	<0.50	1.74	0.85	<0.50
Lopez	3808 Houghton Ave.	11/29/00	<0.50	0.5	<0.50	<0.50
		6/4/03	<0.50	<0.50	<0.50	<0.50
Curry	3832 Houghton Ave.	11/29/00	<0.50	0.9	1.2	<0.50
		6/4/03	<0.50	0.75	<0.50	<0.50
Lucero	3929 Houghton Ave.	7/27/00	<0.50	1.9	<0.50	<0.50
		6/5/03	<0.50	0.66	<0.50	<0.50
Hansen (Glassblowers)	2785 Highway 99 West	3/3/94	<1.0	<1.0	<1.0	<1.0
		6/20/03	1.40	<0.50	<0.50	<0.50
<b>Drinking Water Standard (CA Primary Maximum Contaminant Level)</b>			<b>5 µg/L</b>	<b>5 µg/L</b>	<b>6 µg/L</b>	<b>10 µg/L</b>
<b>California Public Health Goal</b>			<b>0.06 µg/L</b>	<b>1.7 µg/L</b>		

Notes:

1. PCE, Perchloroethene, TCE, Trichloroethene, c-DCE, cis-1,2-Dichloroethene, t-DCE, trans-1,2-Dichloroethene

12. Groundwater data, 1998 to present, from 46 monitoring wells indicates chlorinated ethene and petroleum sources on the Site. Highest concentrations occur near the former Dudley and Petty AGT farm and service station areas. Shallowest pollution occurs within the Shallow Aquifer, perched groundwater in a discontinuous sand body at about 10 to 20 feet below grade surface (bgs). Most pollutants have likely migrated generally eastward of the Site within the Intermediate Aquifer, a hydraulically semi-confined, permeable sand body at 30 to 60 feet bgs. Down-gradient lateral extent is unknown, beyond Toomes Avenue. Vertical pollutant extent in deeper hydraulically confined sands is likewise unknown. Attachment C, which is attached hereto and made part of this Order, shows monitoring and treatment wells. Treatment wells are to date inactive. The following table summarizes representative detections from the first calendar quarter of 2004 (3Q'04), and second quarter, 2010 (2Q'10), in example monitoring wells. Concentrations in bold exceed WQOs for those constituents.

**Chlorinated Ethene and Petroleum Detections in Example Monitoring Wells, Former Dudley and Petty Truck Stop Vicinity, Results in µg/L**

Well	Quarter	PCE <sup>1</sup>	TCE <sup>1</sup>	c-DCE <sup>1</sup>	VC <sup>1</sup>	TPH-D <sup>2</sup>	TPH-G <sup>3</sup>	DIPE <sup>4</sup>
AGT MW-1	3Q'04	<0.50	0.65	<0.50	<0.50	<b>5,500,000</b>	<b>210</b>	
	2Q'10	<1.0	<1.0	<1.0	<1.0	<b>93,000</b>	<250	<1.0
AGT MW-3	3Q'04	<b>0.58</b>	<b>33</b>	<b>85</b>	<0.50	<b>720</b>	<b>180</b>	
	2Q'10	<1.0	<b>25</b>	<b>78</b>	<1.0	<b>1,300</b>	<100	<1.0
AGT MW-5	3Q'04	<b>1.3</b>	<b>54</b>	<b>620</b>	<b>1.8</b>	<b>2,100</b>	<b>870</b>	
	2Q'10	<1.0	<b>14</b>	<b>50</b>	<1.0	<b>840</b>	<100	<1.0
AGT MW-6	3Q'04	<0.50	<b>4</b>	<b>3.2</b>	<0.50	<b>1,200</b>	<50	
	2Q'10	<1.0	<1.0	<1.0	<1.0	<b>570</b>	<100	<1.0
AGT MW-7	3Q'04	<0.50	<b>6.4</b>	<b>31</b>	<0.50	<b>400</b>	<b>69</b>	
	2Q'10	<1.0	<b>5</b>	1.3	<1.0	<b>370</b>	<100	<1.0
AGT MW-14	2Q'10	<1.0	<b>2.3</b>	2.9	<1.0	35J <sup>5</sup>	<100	<1.0
OSS MW-5	3Q'04	<0.50	<0.50	<0.50	<0.50	<b>2,740</b>	<50	
	2Q'10					<b>2,100</b>	<100	
OSS MW-6	3Q'04	<0.50	<b>4.7</b>	4.9	<0.50	<b>160</b>	<50	
	2Q'10	<b>1.2</b>	<b>8.1</b>	4.2	<1.0	<b>300</b>	<100	<b>1.7</b>
<b>Applicable Water Quality Objective</b>		<b>0.06<sup>6</sup></b>	<b>1.7<sup>6</sup></b>	<b>6<sup>7</sup></b>	<b>0.05<sup>8</sup></b>	<b>56<sup>9</sup></b>	<b>5<sup>9</sup></b>	<b>0.08<sup>10</sup></b>

Notes:

1. PCE, Perchloroethene, TCE, Trichloroethene, c-DCE, cis-1,2-Dichloroethene, VC, Vinyl Chloride (Chloroethene)
2. TPH-D, diesel range organics, corresponding to alkenes with carbon numbers C<sub>10</sub> through C<sub>28</sub>, and boiling point range 170°C to 430°C.
3. TPH-G, gasoline range organics, corresponding to alkenes with carbon numbers C<sub>6</sub> through C<sub>10</sub>, and boiling point range between 60°C and 170°C
4. DIPE, Di-isopropyl ether
5. J, estimated concentration, below laboratory method reporting limit.
6. Toxicity Objective, regulatory level specified by California Public Health Goal.
7. Chemical Constituents Objective, regulatory level specified by California Maximum Contaminant Level
8. Toxicity Objective, regulatory level derived from USEPA Superfund Provisional Reference Dose
9. Tastes and Odors Objective, derived from McKee & Wolf, *Water Quality Criteria*, SWRCB, p. 230
10. Tastes and Odors Objective, derived from Amoores and Hautala, J. *Applied Tox.*, Vol. 3, No. 6, 198

13. In 2004, CFJ removed all remaining USTs under Tehama County Environmental Health Department supervision. On 29 December 2008, CFJ submitted a Site-wide Remedial Action Plan ("SWRAP"). This plan generally proposes in-situ bioremediation of volatile organic compounds (VOCs, largely chlorinated ethenes) near the former Dudley and Petty AGT farm area ("AGT VOC Plume"). It proposes further investigation of petroleum pollutants near the AGT farm area ("AGT Fuel Plume"), pursuant to selection of appropriate remediation methods. It also proposes further investigation of VOCs near the Dudley and Petty (old) service station area ("OSS VOC Plume") to assess pollutant pathways toward the Hansen (Glassblowers) well. This investigation is likewise pursuant to selection of appropriate remedial technologies. On 29 December 2009, Board staff concurred with the SWRAP. For in-situ treatments, the Discharger will need to submit a Notice of Intent for Waste Discharge Requirements, under General Order R5-2008-0149, which is the Central Valley Water Board's General Order for In-Situ Remediation.
14. On 15 November 2010, Pilot presented a work plan to further investigate the AGT Fuel Plume. It proposes six shallow borings east of the McCoy's Hardware Store property, west of Toomes Avenue, to further delineate petroleum fuel pollution. Staff concurs with the proposed scope of work.

#### **AUTHORITY – LEGAL REQUIREMENTS**

15. The Central Valley Water Board derives its authority to issue and enforce the legal requirements of this Order from California Law, Regulations, Policies, and Plans included in Attachment D, which is attached hereto and made part of this Order.
16. The constituents listed in Findings Nos. 9, 11, and 12 are "wastes," as defined in Water Code section 13050(d). The groundwater exceeds the WQOs for the constituents listed in Findings Nos. 9, 11, and 12. Exceeding applicable WQOs is indicative of impairment to the beneficial uses of the groundwater, and thereby constitutes pollution as defined in Water Code section 13050(l)(1).

#### **DISCHARGER LIABILITY**

17. As described in Findings 1 through 16, the Dischargers are subject to an order pursuant to Water Code section 13304 because the Dischargers have caused or permitted, or threatened to cause or permit, waste to be discharged or deposited where it is, or probably will be, discharged into the waters of the state, and have created, or threatened to create, a condition of pollution or nuisance. The condition of pollution is a priority violation and issuance of a cleanup and abatement order pursuant to Water Code section 13304 and Health and Safety Code section 25296.10 is appropriate and consistent with policies of the Central Valley Water Board.
18. This Order requires investigation and cleanup of the Site in compliance with the Water Code, the applicable Basin Plan, State Water Resources Control Board ("State Water Board") Resolution 92-49, and other applicable Central Valley Water Board's plans, policies, and regulations.

19. As described in Findings 1 through 16, the Dischargers are subject to an order pursuant to Water Code section 13267 to submit technical reports because existing data and information about the Site indicate that waste has been discharged, is discharging, or is suspected of discharging, at the property, which is or was owned and/or operated by the Dischargers named in this Order. The technical reports required by this Order are necessary to assure compliance with Water Code section 13304 and Health and Safety Code section 25296.10, to adequately investigate and clean up the Site to protect the beneficial uses of waters of the state, to protect against nuisance, and to protect human health and the environment.
20. The issuance of this Order mandates further investigation and cleanup, and will compel the Dischargers to implement a site-wide remedial action plan that was initially approved by Central Valley Water Board staff in 2008. The Site is an operating truck stop, situated above contaminated soil and groundwater, and the treatment wells have already been installed. After reviewing the plan and considering evidence in the Board's files regarding existing environmental conditions at the Site, the Board can conclude that there is no possibility that issuance of this Order, which requires the cleanup of a contaminated site pursuant to approved plans and policies already in effect, will have a significant effect on the environment, and therefore, issuance of the Order is not subject the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.), pursuant to California Code of Regulations, title 14, section 15061(b)(3).

### REQUIRED ACTIONS

**IT IS HEREBY ORDERED** that, pursuant to Water Code sections 13304 and 13267, and Health and Safety Code section 25296.10, Del Pinnland; Dudley and Petty, Inc.; North East LLC; CFJ Properties; Love's Travel Stops and Country Stores, Inc.; and Pilot Travel Centers, LLC, shall:

1. Investigate the discharges of waste, clean up the waste, and abate the effects of the waste, forthwith, resulting from activities at 2120 South Avenue, Corning, Tehama County, in conformance with State Water Board Resolution No. 92-49 *Policies and Procedures for Investigation and Cleanup and Abatement of Discharges Under Water Code Section 13304* and with the Central Valley Water Board's *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins*, Fourth Edition, revised September 2009 (in particular the Policies and Plans listed within the Control Action Considerations portion of Chapter IV). "Forthwith" means as soon as is reasonably possible. Compliance with this requirement shall include, but not be limited to, completing the tasks listed below.
2. For applicable portions of the property, complete all work and reports in accordance with *Appendix A - Reports, Tri-Regional Recommendations for Preliminary Investigation and Evaluation of Underground Storage Tank Sites*, which can be found at: [http://www.waterboards.ca.gov/centralvalley/water\\_issues/underground\\_storage\\_tanks/](http://www.waterboards.ca.gov/centralvalley/water_issues/underground_storage_tanks/)



3. Complete all work under all permits required by State, County, and/or Local agencies.
4. By **1 December 2011**, the Dischargers shall submit a Notice of Intent ("NOI") for in-situ bioremediation of the Dudley and Petty AGT Farm VOC Plume under General Order R5-2008-0149. With the NOI, the Dischargers shall submit a Remedial Design Plan and time schedule for implementation **within 90 days** of Notice of Applicability.
5. By **19 September 2011**, the Dischargers shall implement the previously submitted work plan to further investigate the AGT Fuel Plume.
6. By **3 October 2011**, the Dischargers shall submit a work plan to further investigate the AGT VOC Plume and OSS VOC Plume. The plan shall include, but is not limited to: appropriate further investigation of at least two potentially feasible, cost effective treatments, further investigation of the total extent of pollution; and further investigation of inactive, impacted supply wells as vertical pollution conduits.
7. The Dischargers shall submit **Remedial Status Reports**, monthly for the first three months of active implementation and quarterly thereafter. The required Remedial Status Reports are necessary to monitor the effectiveness of the remedial system and its impact on the subsurface environment. The first monthly Remedial Status Report is due **45 days after system startup**, and no later than **as proposed in the time schedule of the Remedial Design Plan**, and shall at minimum include background dissolved metals, pH, oxidation-reduction potential ("ORP"), total dissolved solids ("TDS"), electron acceptors, iron, manganese, metabolic acids, relevant hydraulic parameters, organic pollutants and their predicted breakdown products in the target volume, predicted behavior both in the target volume and identified surrounding sentry wells, and contingencies for controlling mobilized pollution beyond the target volume. Subsequently, each Remedial Status Report shall also include amendment injections, and the results of all appropriate shallow soil vapor and groundwater sampling. Remedial Status Reports are to be submitted during operation of the remedial system and for a minimum of four quarters following system shutdown.
8. The Dischargers shall submit **Quarterly Monitoring Reports**. All Monitoring Reports shall be submitted **by the 15<sup>th</sup> day of the month following the end of the calendar quarter** in which the samples are collected (i.e., by 15 July and 15 January). Monitoring reports shall include the results of all soil, soil vapor, and groundwater samples analyzed to date. While the wells to be sampled during each monitoring event may be modified by Central Valley Water Board staff, sampling frequency shall otherwise remain as proposed in Section 5.0 of a Corrective Action Plan prepared on behalf of CFJ, submitted to the Redding Office of the Central Valley Water Board on 18 September 2008. To allow assessment of temporal trends, the Discharger shall sample raw groundwater and filtrate from the six domestic wells shown on Attachment B with wellhead filters for EPA Method 524.2, drinking water volatile organic compounds. Remedial Status Reports and Monitoring Reports should be combined and completed as a single report when both monitoring and remedial system sampling occur during the same quarter.

9. The Dischargers shall continue to provide appropriate, **uninterrupted** replacement water that meets all applicable federal, state, and local drinking water standards to affected parties, in compliance with Water Code section 13304, subsections (f) and (g). Appropriate uninterrupted replacement water may include, but is not limited to, continued maintenance of existing GAC units, and extension of piped potable water services.

10. The following table summarizes reporting requirements:

<b>Required Report Submittal Schedule</b>	
<b>Required Report/Task</b>	<b>Due Date</b>
<b>Notice of Intent</b> to cleanup the AGT VOC Plume source volume with in situ bioremediation.	<b>1 December 2011</b>
<b>Bio Remediation Remedial Design Plan and Time Schedule for Implementation</b>	<b>Within 90 days</b> of Central Valley Water Board issuance of an appropriate Notice of Applicability
<b>Implement Work Plan</b> for further investigation of the AGT Fuel Plume	<b>19 September 2011</b>
<b>Submit Work Plans</b> for further investigation of the AGT VOC, and OSS VOC Plumes	<b>3 October 2011</b>
<b>Remedial System Progress Reports</b>	<b>Monthly for the first three months</b> of active implementation and <b>quarterly thereafter</b>
<b>Monitoring Reports</b>	<b>Quarterly</b>
<b>Replacement Water</b>	<b>Ongoing, as Necessary</b>

### GENERAL REQUIREMENTS

The General Requirements are included in Attachment D of this Order.

If the Dischargers are unable to perform any activity or submit any document in compliance with the schedule set forth herein, or in compliance with any work schedule submitted pursuant to this Order, the Dischargers may request, in writing, an extension of the time specified. The extension request shall include justification for the delay. Any extension request shall be submitted as soon as the situation is recognized and no later than the compliance date. An extension may be granted by revision of this Order or by a letter from the Executive Officer. Extension requests not approved in writing by the Executive Officer with reference to this Order are denied.

If, in the opinion of the Executive Officer, the Dischargers fail to comply with the provisions of this Order, the Executive Officer may refer this matter to the Attorney General for judicial

AMENDED CLEANUP AND ABATEMENT ORDER R5-2004-0709

SEL PINNLAND; DUDLEY AND PETTY, INC.; NORTH EAST LLC; CFJ PROPERTIES; LOVE'S TRAVEL STOPS AND COUNTRY STORE; AND PILOT TRAVEL CENTERS, LLC

CORNING, TEHAMA COUNTY

enforcement or may issue a complaint for administrative civil liability. Failure to comply with this Order may result in the assessment of an Administrative Civil Liability of up to \$10,000 per violation per day pursuant to the Water Code sections 13268, 13350 and/or 13385. The Central Valley Water Board reserves its right to take any enforcement actions authorized by law.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with California Water Code section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday, the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of the law and regulations applicable to filing petitions may be found on the Internet at:

[http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality)

or will be provided upon request.

This Order is effective upon the date of signature.

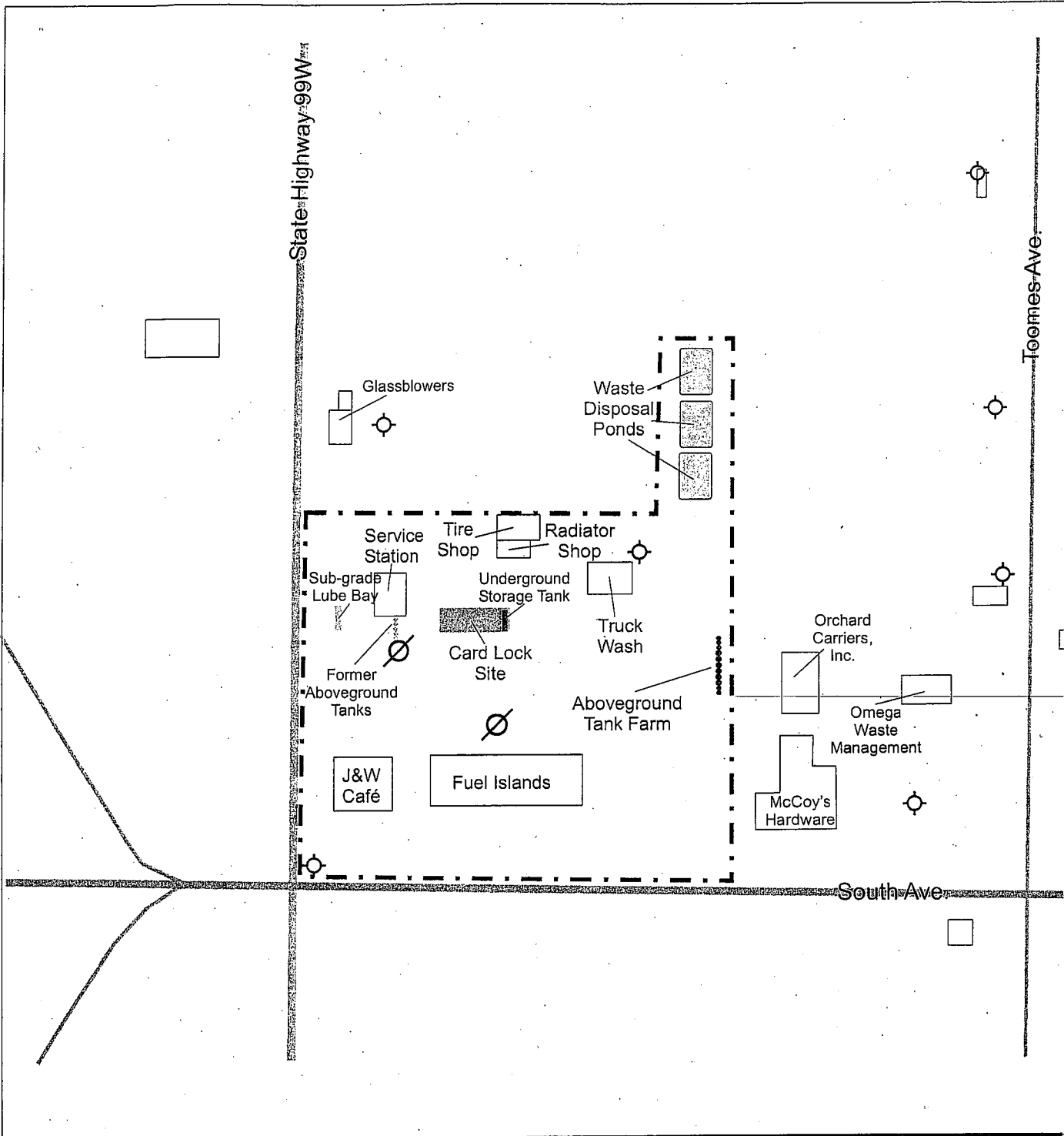
*Robert A. Crandall*

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ROBERT A. CRANDALL  
Assistant Executive Officer

9/15/11  
(Date)

---



**LEGEND**



PROPERTY BOUNDARY  
 ACTIVE SUPPLY WELL  
 DESTROYED SUPPLY WELL  
 (LOCATION UNCERTAIN)



0 245  
 SCALE IN FEET

SOURCES: 1976 AND 1986 AERIAL IMAGERY, INTERVIEWS WITH KNOWLEDGEABLE PARTIES, REPORTS BY LAWRENCE AND ASSOCIATES, AND METCALF AND EDDY, 1991 THROUGH 2002.

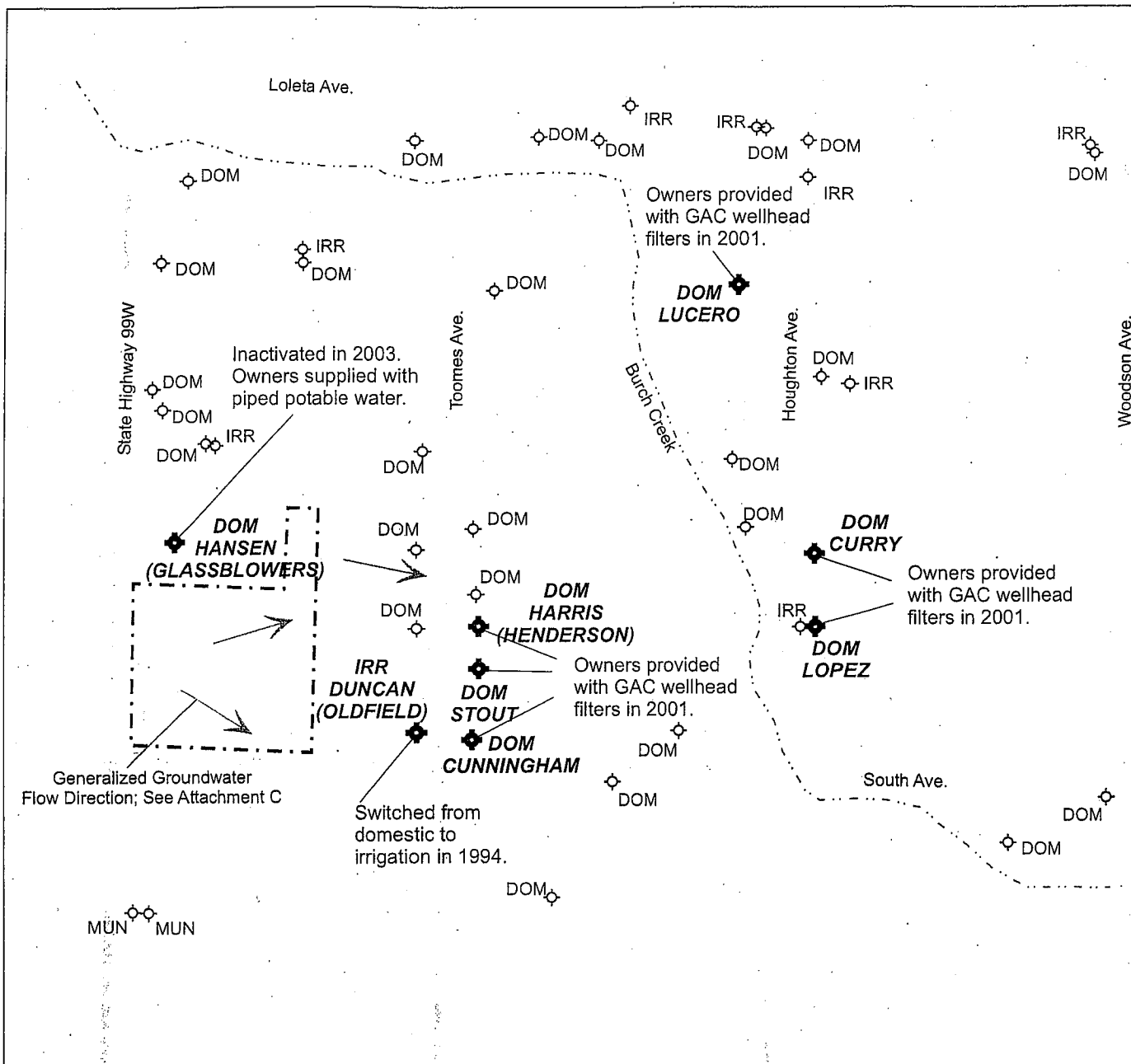
(10/19/10)

(EJR)

**ATTACHMENT A**

ORDER NO.R5-2004-0709  
 AMENDED CLEANUP AND ABATEMENT ORDER  
 FOR  
 NORTH EAST L.L.C, A UTAH LIMITED LIABILITY CORPORATION,  
 CFJ PROPERTIES, A UTAH GENERAL PARTNERSHIP,  
 LOVE'S TRAVEL STOPS & COUNTRY STORES, INC.  
 AND  
 PILOT TRAVEL CENTERS, LLC,  
 CORNING, TEHAMA COUNTY

**KEY HISTORICAL FEATURES, 1986**



WELLS WITH OWNERS SHOWN HAVE CHLORINATED ETHENE DETECTIONS.  
 OTHERS SHOWN HAD NO DETECTABLE CHLORINATED ETHENES AS OF AN  
 AREA-WIDE SAMPLE IN 2003.

**LEGEND**

- PROPERTY BOUNDARY
- PRIVATE DOMESTIC WELL
- PRIVATE IRRIGATION WELL
- MUNICIPAL WELL (INACTIVE)

N

0 SCALE IN FEET 500

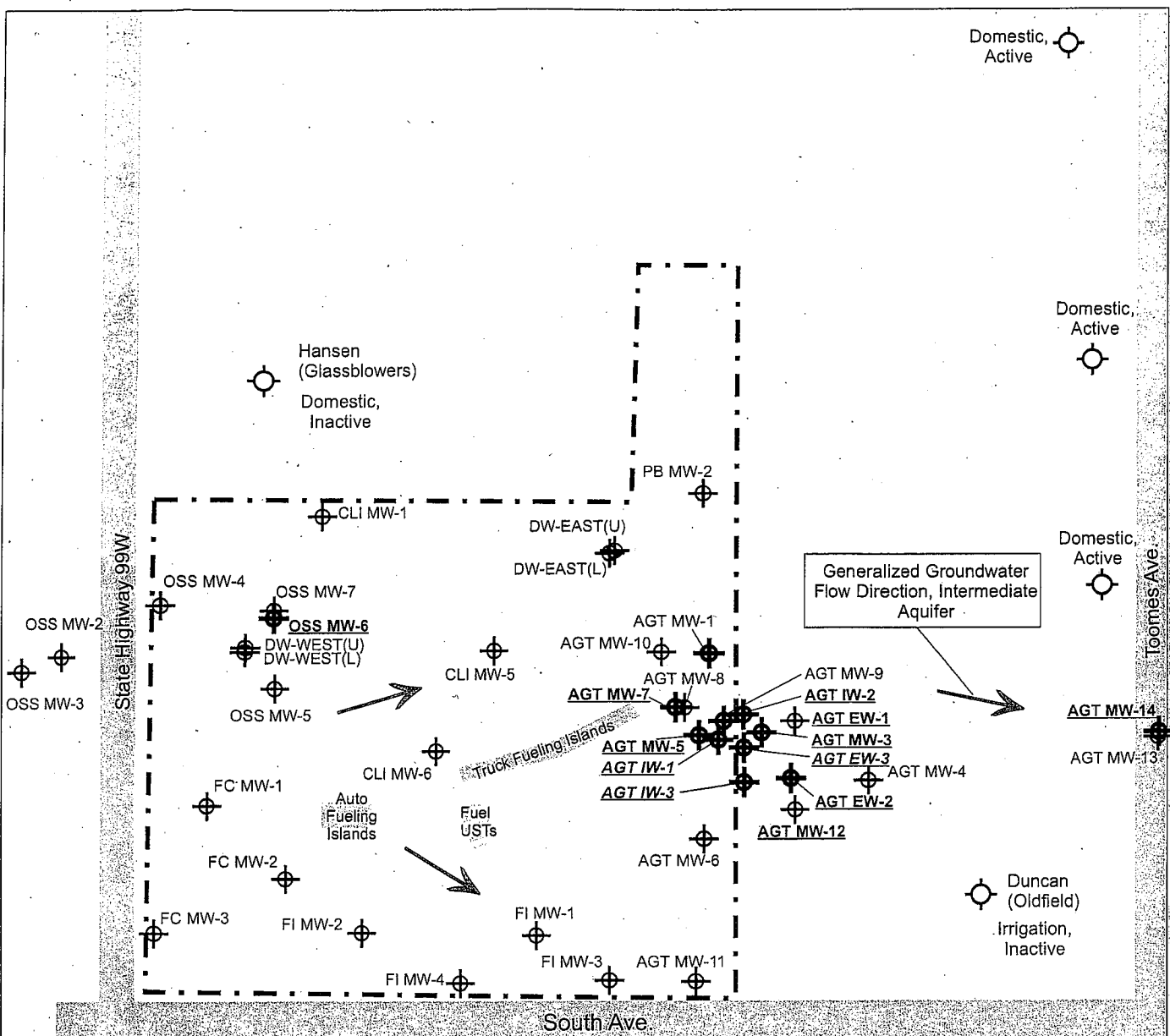
SOURCES: STAFF INSPECTION REPORTS, REPORT BY HALING AND ASSOCIATES DATED JULY 2003, AERIAL IMAGERY (EJR)

**ATTACHMENT B**

ORDER NO.R5-2004-0709\_

AMENDED CLEANUP AND ABATEMENT ORDER  
 FOR  
 NORTH EAST L.L.C., A UTAH LIMITED LIABILITY CORPORATION,  
 CFJ PROPERTIES, A UTAH GENERAL PARTNERSHIP,  
 LOVE'S TRAVEL STOPS & COUNTRY STORES, INC.  
 AND  
 PILOT TRAVEL CENTERS, LLC,  
 CORNING, TEHAMA COUNTY

**SUPPLY WELLS  
 SAMPLED 2000 THROUGH 2003**



Wells in bold, underlined text had total chlorinated ethenes greater than  $10^{-8}$  moles/Liter, Second Quarter 2010.

Wells in bold italics had total chlorinated ethenes greater than  $10^{-6}$  moles/Liter, Second Quarter 2010.

See Finding 12 in Order for individual constituents in micrograms/Liter, and Water Quality Objectives.

**LEGEND**

- PROPERTY BOUNDARY
- AGT MW-14 MONITORING WELL
- AGT IW-3 AMENDMENT INJECTION WELL, INSTALLED, INACTIVE
- AGT EW-3 AMENDMENT EXTRACTION WELL, INSTALLED, INACTIVE
- SUPPLY WELL



0 100  
SCALE IN FEET

SOURCES: MONITORING REPORTS AND WORK PLANS BY NICHOLS CONSULTING ENGINEERS, 2004 THROUGH 2010

(EJR)

**ATTACHMENT C**

ORDER NO.R5-2004-0709\_  
AMENDED CLEANUP AND ABATEMENT ORDER FOR  
NORTH EAST L.L.C., A UTAH LIMITED LIABILITY CORPORATION,  
CFJ PROPERTIES, A UTAH GENERAL PARTNERSHIP,  
LOVE'S TRAVEL STOPS & COUNTRY STORES, INC.  
AND  
PILOT TRAVEL CENTERS, LLC,  
CORNING, TEHAMA COUNTY

**MONITORING AND TREATMENT WELLS**

(10/19/10)

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

AMENDED CLEANUP AND ABATEMENT ORDER NO. R5-2004-0709  
FOR  
DEL PINNLAND,  
DUDLEY AND PETTY, INC.,  
NORTH EAST L.L.C., A UTAH LIMITED LIABILITY CORPORATION,  
CFJ PROPERTIES, A UTAH GENERAL PARTNERSHIP,  
LOVE'S TRAVEL STOPS & COUNTRY STORES, INC.,  
AND  
PILOT TRAVEL CENTERS LLC  
CORNING, TEHAMA COUNTY

**ATTACHMENT D**  
**AUTHORITY – LEGAL REQUIREMENTS**  
and  
**GENERAL REQUIREMENTS**

**AUTHORITY – LEGAL REQUIREMENTS**

The following laws and regulations authorize the Central Valley Regional Water Quality Control Board (Central Valley Water Board) to issue Cleanup and Abatement Orders (CAOs) to persons who have participated in actions that have led to actual or threatened water contamination.

- I. Legal Authority over Responsible Parties/Dischargers: These laws and regulations give the Central Valley Water Board the legal authority to hold persons named in the accompanying Order responsible for cleanup activities.

1. Section 13304(a) of the California Water Code states, in relevant part, that:

Any person who has discharged or discharges waste into waters of the state in violation of any waste discharge requirements or other order or prohibition issued by a regional board or the state board, or who has caused or permitted, causes or permits, or threatens to cause or permit any waste to be discharged or deposited where it is, or probably will be, discharged into the waters of the state and creates, or threatens to create, a condition of pollution or nuisance, shall upon order of the regional board clean up the waste or abate the effects of the waste, or, in the case of threatened pollution or nuisance, take other necessary remedial action, including but not limited to, overseeing cleanup and abatement efforts.

2. Section 13050(d) of the California Water Code defines "waste" to include:
  - ... sewage and any and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing, or processing operation, including waste placed within containers of whatever nature prior to, and for purposes of, disposal.
3. Sections 13050(l) and 13050(m) define "pollution" and "nuisance," respectively, as follows:
  - (1) "Pollution" means an alteration of the quality of the waters of the state by waste to a degree which unreasonably affects either of the following:
    - (A) The waters for beneficial uses.
    - (B) Facilities which serve these beneficial uses.
  - (2) "Pollution" may include "contamination."
    - "Nuisance" means anything which meets all of the following requirements:
      - (1) Is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property.
      - (2) Affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.
      - (3) Occurs during, or as a result of, the treatment or disposal of wastes.
4. California Code of Regulations, title 23, section 2720, defines who is a "responsible party"<sup>1</sup> for the purposes of cleaning up contamination resulting from a leaking underground storage tank. This section states, in relevant part:

"Responsible party" means one or more of the following:

  - (1) Any person who owns or operates an underground storage tank used for the storage of any hazardous substance;
  - (2) In the case of any underground storage tank no longer in use, any person who owned or operated the underground storage tank immediately before the discontinuation of its use;
  - (3) Any owner of property where an unauthorized release of a hazardous substance from an underground storage tank has occurred; and
  - (4) Any person who had or has control over a underground storage tank at the time of or following an unauthorized release of a hazardous substance.
5. California Code of Regulations, title 23, section 2720, specifies that Responsible Parties shall comply with all California Water Code provisions and any Orders issued by a regional water board when an unauthorized release from an underground storage tank has occurred.

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<sup>1</sup> For the purposes of a cleanup at a site contaminated by a leaking underground storage tank, Responsible Parties may also be referred to as Dischargers.



II. Legal Authority to Require Cleanup Activities/Corrective Actions: These laws and regulations describe the actions that may be required of persons named in Cleanup and Abatement Orders.

**1. General Cleanup Activities**

i. Section 13304(a) of the California Water Code states, in relevant part, that:

[Responsible parties] shall upon order of the regional board clean up the waste or abate the effects of the waste, or, in the case of threatened pollution or nuisance, take other necessary remedial action, including but not limited to, overseeing cleanup and abatement efforts.

ii. Section 25296.10(a) of the Health and Safety Code provides that:

Each owner, operator, or other responsible party shall take corrective action in response to an unauthorized release in compliance with this chapter and the regulations adopted pursuant to Section 25299.3.

**2. Replacement Water**: The Central Valley Water Board may require responsible parties to provide replacement water to others who have had their water supplies affected by pollutants.

i. Section 13304(a) of the California Water Code states, in relevant part, that:

A cleanup and abatement order issued by the state board or a regional board may require the provision of, or payment for, uninterrupted replacement water service, which may include wellhead treatment, to each affected public water supplier or private well owner.

ii. Section 13304(f) of the California Water Code states that:

Replacement water provided pursuant to subdivision (a) shall meet all applicable federal, state and local drinking water standards and shall have comparable quality to that pumped by the public water system or private well owner prior to the discharge of waste.

III. Legal Authority for Cost Reimbursement: The Central Valley Water Board has the legal right to require responsible parties to pay for cleanup actions undertaken by the state and to require payment of oversight costs pursuant to California Water Code section 13304(c)(1), which states that:

If waste is cleaned up or the effects of the waste are abated, or, in the case of threatened pollution or nuisance, other necessary remedial action is taken by any government agency, the person or persons who discharged the waste, discharges the waste, or threatened to cause or permit the discharge of the waste within the meaning of subdivision (a), are liable to that government agency to the extent of the reasonable costs actually incurred in cleaning up the waste, abating the effects of the waste, supervising cleanup or abatement activities, or taking other remedial actions.

IV. Legal Authority to Require the Submittal of Technical Reports: The Central Valley Water Board has broad authority to require responsible parties to submit technical reports, which may include work plans, the analytical results of investigation activities, and the site history for contaminated properties.

1. Section 13267(a) of the California Water Code states, in relevant part, that:

A regional board, in establishing or reviewing any water quality control plan or waste discharge requirements, or in connection with any action relating to any plan or requirement authorized by this division, may investigate the quality of any waters of the state within its region.

2. Section 13267(b)(1) of the California Water Code states that:

In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge, waste outside of its region that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.

3. Section 25296.10(c)(1) of the Health and Safety Code provides that:

...the owner, operator, or other responsible party shall prepare a work plan that details the corrective action the owner, operator, or other responsible party shall take to comply with the requirements of subdivisions (a) and (b) and the corrective action regulations adopted pursuant to Section 25299.3.

These code sections allow the Central Valley Water Board to impose the obligation to submit technical reports on responsible parties. In the main body of the Cleanup and Abatement Order, you can find the reasons why the Central Valley Water Board is requiring you to submit these reports, as well as a justification for requiring the reports that balances the need for the reports against the burden placed upon you for submitting the reports. If the Cleanup and Abatement Order involves the cleanup of toxic substances, including carcinogenic substances, then the need for these reports usually is very high.

- V. GeoTracker: GeoTracker is a database that contains information about cleanup sites throughout the State. Under California Code of Regulations (CCR), title 23, sections 3890-3895, responsible parties must submit electronic laboratory analytical data (i.e., soil, soil gas, or water chemical analysis) and locational data (i.e., location and elevation of groundwater monitoring wells), to the State GeoTracker database. The regulations and other background information are available at <http://geotracker.waterboards.ca.gov>.
- VI. Basin Plan: The Water Board's *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins, 4<sup>th</sup> Edition* (hereafter Basin Plan) designates beneficial uses of the waters of the State, establishes water quality objectives (WQOs) to protect these uses, and establishes implementation policies to implement WQOs. The beneficial uses of the groundwater beneath sites governed by this attachment are domestic, municipal, industrial, and agricultural supply.
- VII. Policies: The following policies contain provisions that must be adhered to by responsible parties conducting cleanup activities.
1. The State Water Resources Control Board (hereafter State Board) has adopted Resolution No. 92-49, the *Policies and Procedures for Investigation and Cleanup and Abatement of Discharges Under Water Code Section 13304*. This Policy sets forth the policies and procedures to be used during an investigation or cleanup of a polluted site and requires that cleanup levels be consistent with State Board Resolution 68-16, the *Statement of Policy With Respect to Maintaining High Quality of Waters in California*. Resolution 92-49 and the Water Board's Water Quality Control Plan for the Sacramento and San Joaquin River Basins (4<sup>th</sup> Ed) (Basin Plan) establish the cleanup levels to be achieved. Resolution 92-49 requires the waste to be cleaned up to background, or if that is not reasonable, to an alternative level that is the most stringent level that is economically and technologically feasible in accordance with California Code of Regulations, title 23, section 2550.4. Any alternative cleanup level to background must (1) be consistent with the maximum benefit to the people of the state; (2) not unreasonably affect present and anticipated beneficial use of such water; and (3) not result in water quality less than that prescribed in the Basin Plan and applicable Water Quality Control Plans and Policies of the State Board.
  2. Chapter IV of the Basin Plan contains the *Policy for Investigation and Cleanup of Contaminated Sites*, which describes the Central Valley Water Board's policy for managing contaminated sites. This Policy is based on Water Code Sections 13000 and 13304, the Title 27 CCR, Division 2, Subdivision 1 regulations, and State Water Board Resolution Nos. 68-16 and 92-49. The Policy includes site investigation, source removal or containment, information required to be submitted for consideration in establishing cleanup levels, and the bases for establishment of soil and groundwater cleanup levels.

3. The State Board adopted the *Water Quality Enforcement Policy*, which states in part: "*At a minimum, cleanup levels must be sufficiently stringent to fully support beneficial uses, unless the RWQCB allows a containment zone. In the interim, and if restoration of background water quality cannot be achieved, the CAO should require the discharger(s) to abate the effects of the discharge. Abatement activities may include the provision of alternate water supplies.*" (*Enforcement Policy, p. 14.*)

VIII. Specific Constituents of Concern: The following provisions are applicable.

1. The wastes detected at the site are not naturally occurring, and some, such as Benzene, Pechloroethene, and Vinyl Chloride, are known human carcinogens. Pollution of groundwater with these wastes impairs or threatens to impair the beneficial uses of the groundwater.
2. Water Quality Objectives (WQOs) listed in the Basin Plan include numeric WQOs, e.g., state drinking water maximum contaminant levels (MCLs), and narrative WQOs, including the narrative toxicity objective and the narrative tastes and odors objective for surface and groundwater. Chapter IV of the Basin Plan contains the *Policy for Application of Water Quality Objectives*, which provides that "[w]here compliance with narrative objectives is required (i.e., where the objectives are applicable to protect specified beneficial uses), the Central Valley Water Board will, on a case-by-case basis, adopt numerical limitations in orders which will implement the narrative objectives. "The numerical limits for the constituents of concern listed in the following table implement the Basin Plan WQOs.

Constituent	Limits µg/L	WQO	Reference
Total Petroleum Hydrocarbons as Gasoline	5	Human Toxicity	USEPA Health Advisory
Total Petroleum Hydrocarbons as Diesel	56	Human Toxicity	USEPA IRIS Reference Dose as a Drinking Water Level
Benzene	1	Human Toxicity	California Primary Maximum Contaminant Level
Toluene	40	Taste and Odor	USEPA Secondary Maximum Contaminant Level
Ethylbenzene	30	Taste and Odor	USEPA Secondary Maximum Contaminant Level
Xylenes	20	Taste and Odor	USEPA Secondary Maximum Contaminant Level
Methyl tert Butyl Ether (MTBE)	5	Taste and Odor	USEPA Secondary Maximum Contaminant Level
Tert Butyl Alcohol (TBA)	12	Human Toxicity	California Notification Level (DPA)
Di-isopropyl Ether (DIPE)	0.8	Taste and Odor	Taste & Odor Threshold
Perchloroethene (PCE)	0.06	Human Toxicity	California Public Health Goal
Trichloroethene (TCE)	1.7	Human Toxicity	California Public Health Goal
cis-1,2-Dichloroethene (c-DCE)	6	Chemical Constituents	California Department of Health Services Primary Maximum Contaminant Level
trans-1,2-Dichloroethene (t-DCE)	10	Chemical Constituents	California Department of Health Services Primary Maximum Contaminant Level
Vinyl Chloride (VC)	0.05	Human Toxicity	California Public Health Goal

µg/L= micrograms per liter

### GENERAL REQUIREMENTS

The following requirements are applicable for all sites in which the Central Valley Water Board issues Cleanup and Abatement Orders addressing the cleanup of gasoline constituents. If a Responsible Party subject to a Cleanup and Abatement Order fails to comply with the provisions of this Order, the Assistant Executive Officer may refer this matter to the Attorney General for judicial enforcement and/or may issue a complaint imposing administrative civil liability.

1. As required by the California Business and Professions Code Sections 6735, 7835, and 7835.1, Responsible Parties must have appropriate reports prepared by, or under the supervision of, a registered professional engineer or geologist and signed, and where necessary stamped, by the registered professional. All technical reports submitted by the Responsible Parties shall include a cover letter signed by the responsible parties, or authorized representatives, certifying under penalty of law that the signer has examined and is familiar with the report and that to their knowledge; the report is true, complete, and accurate. The Responsible Parties

shall also state if they agree with any recommendations or proposals and whether they approved implementation of said proposals.

2. Upon startup of any remediation system(s), Responsible Parties must operate the remediation system(s) continuously, except for periodic and required maintenance or unpreventable equipment failure. The Responsible Parties shall notify the Central Valley Water Board within 24 hours of any unscheduled shutdown of the remediation system(s) that lasts longer than 48 hours. This notification shall include the cause of the shutdown and the corrective action taken (or proposed to be taken) to restart the system. Any interruptions in the operation of the remediation system(s), other than for maintenance, emergencies, or equipment failure, without prior approval from Central Valley Water Board staff or without notifying the Central Valley Water Board within the specified time is a violation of this Order. Within 7 working days of a shutdown, the Responsible Parties shall submit a Technical Report containing at a minimum, but not limited to the following information:
  - Times and dates equipment were not working.
  - Cause of shutdown.
  - If not already restarted, a time schedule for restarting the equipment.
  - A Cleanup Assurance Plan to ensure that similar shutdowns do not reoccur. Proposed Cleanup Assurance Plans are to be completed within 30 days of the system shutdown.
3. Responsible Parties must notify Central Valley Water Board staff at least three working days prior to any onsite work, testing, or sampling that pertains to environmental remediation and investigation and is not routine monitoring, maintenance, or inspection.
4. Responsible Parties must obtain all local and state permits and access agreements necessary to fulfill the requirements of this Order prior to beginning work.
5. Responsible Parties must continue any remediation or monitoring activities until the Assistant Executive Officer determines that sufficient cleanup has been accomplished to fully comply with this Order and this Order has been either amended or rescinded in writing.
6. Responsible Parties must optimize remedial systems as needed to improve system efficiency, operating time, and/or waste removal rates, and report on the effectiveness of the optimization in the quarterly reports.
7. Responsible Parties must maintain a sufficient number of monitoring wells to completely define and encompass the waste plume(s). If groundwater monitoring indicates the waste in groundwater has migrated beyond laterally or vertically defined limits during the quarter, then the quarterly monitoring reports must include a work plan and schedule, with work to begin within thirty days of Central Valley Water Board staff approval, to define the new plume limits.

8. Electronic copies of all reports and analytical results are to be submitted over the Internet to the State Water Board Geographic Environmental Information Management System database (GeoTracker) at <http://geotracker.waterboards.ca.gov>.

Electronic copies are due to GeoTracker concurrent with the corresponding hard copy deliver to this office. Electronic submittals shall comply with GeoTracker standards and procedures as specified on the State Board's web site. Responsible Parties must submit all laboratory data obtained after September 1, 2001 to GeoTracker database. Responsible Parties must also submit locational data obtained after January 1, 2002 for all groundwater monitoring wells (i.e., latitude, longitude, and elevation survey data), groundwater well information (e.g., depth to free product, monitoring well status), and a site map.

9. If the Responsible Parties are unable to perform any activity or submit any document in compliance with the schedule set forth herein, or in compliance with any work schedule submitted pursuant to this Order and approved by the Assistant Executive Officer, the Responsible Parties may request, in writing, an extension of the time specified. The extension request shall include justification for the delay. Any extension request shall be submitted as soon as the situation is recognized and no later than the compliance date. An extension may be granted by revision of this Order or by a letter from the Assistant Executive Officer. Extension requests not approved in writing by the Assistant Executive Officer with reference to this Order are denied.
10. All work and directives referenced in this Order are required regardless of whether or not the UST Cleanup Fund approves the work for reimbursement.