

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

CLEANUP AND ABATEMENT ORDER NO. R5-2004-0044
FOR

PACIFIC LIFE INSURANCE COMPANY, ROEBBELEN LAND COMPANY,
MR. HANS ROEBBELEN, MR. DAVID THULEEN, MR. KENNETH ROEBBELEN,
MR. TERENCE STREET, MR. GEORGE CARRERE,
MR. JERRY ENWALD, MS. CARALEE ENWALD, ENWALD ENTERPRISES, INC.,
AND BAY GRANITE, INC.

FORMER SERVICE CLEANERS, THE COUNTY FAIR MALL
WOODLAND, YOLO COUNTY

This Cleanup and Abatement Order (Order) is issued to Pacific Life Insurance Company, Roebbelen Land Company, Mr. Hans Roebbelen, Mr. David Thuleen, Mr. Kenneth Roebbelen, Mr. Terence Street, Mr. George Carrere, Mr. Jerry Enwald, Ms. Caralee Enwald, Enwald Enterprises, Inc., and Bay Granite, Inc. (hereafter collectively referred to as Discharger), based on provisions of California Water Code Section 13304, which authorizes the California Regional Water Quality Control Board, Central Valley Region (hereafter Regional Board) to issue a Cleanup and Abatement Order.

The Regional Board finds, with respect to the Discharger's acts or failure to act, the following:

INTRODUCTION

1. A former dry cleaning operation known as Service Cleaners previously operated at 1296 East Gibson Road, Suite C, at "Pad 1" of the County Fair Mall, in Woodland, Yolo County (hereafter referred to as the Site). The Site is in a retail center with a residential area to the east, City Well No. 18 to the north, as shown in Attachment 1, which is made part of this Order. Also shown on Attachment 1 are the Site monitoring wells.
2. Pacific Life Insurance Company (Pacific Life) owns "Pad 1" of the County Fair Mall. Pacific Life acquired the property in June 1998 via a "Settlement Agreement and Mutual Release" (Settlement Agreement), which resolved a claim of default by County Fair Associates (CFA), a California general partnership, on a Promissory Note held by Pacific Life.
3. Roebbelen Land Company (Roebbelen), a California limited partnership (also known as Roebbelen Land Company, a California general partnership) was the general partner of CFA. CFA owned and operated the County Fair Mall (Mall) from its construction in 1986 until the Pacific Life foreclosure. CFA leased the Site to Enwald Enterprises, Inc. (the first operator) and Bay Granite, Inc. (the second operator) with knowledge that the premises would be used as a dry cleaning facility. A May 1997 Phase I environmental assessment (Phase I Assessment), discussed in Finding Nos. 10, 11, and 13, recognized environmental problems from tetrachloroethene (PCE) use at the Site. CFA took no action to stop the discharge. CFA took possession of the property during 1997 when the Enwald Enterprises, Inc. lease terminated, as discussed in Finding No. 6. CFA re-leased the Site to a second dry cleaner later in 1997. CFA retained possession and control

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of the Mall's common areas throughout its period of operation of the retail center. Thus, CFA had knowledge, control, and an ability to prevent the further migration of waste at the Site.

4. Mr. Hans Roebbelen, Mr. David Thuleen, Mr. Kenneth Roebbelen were the general partners of Roebbelen Land Company from the construction of the County Fair Mall until 2 January 2002. Mr. David Thuleen and Mr. Terence Street are currently general partners. Mr. Hans Roebbelen, Mr. Kenneth Roebbelen, Mr. David Thuleen, and Mr. Terence Street were also "master lessees" of the County Fair Mall property from approximately March 1987 until December 1997, when CFA acquired ownership of the real property.
5. Mr. George Carrere was the owner of the real property on which Service Cleaners was located until December 1997 when CFA purchased the real property, prior to the Pacific Life foreclosure. The Ground Lease by and between Mr. George Carrere and CFA, dated October 8, 1985, provides that the tenant shall not conduct or permit nuisance or waste, and that the tenant shall maintain the premises in compliance with all laws. The landlord has the right to terminate the lease and retake possession (including subleased parcels, upon notice to the subtenant) upon default of the tenant. The rent calculations under the Ground Lease were based, in part, on subtenant rentals. The Ground Lease required the tenant to provide the landlord with a detailed statement of income related to Subtenant Rentals, and permitted the landlord to examine the tenant's books and records. Thus, Mr. George Carrere had the requisite knowledge, control, and ability to prevent the further migration of waste at the Site.
6. Mr. Jerry Lee Enwald and Ms. Caralee Enwald owned and operated Service Cleaners from 1986 until approximately 1997. Enwald Enterprises, Inc. was the tenant at the Site during this period of time. Mr. Jerry Lee Enwald guaranteed Enwald Enterprises, Inc.'s lease. Ms. Caralee Enwald owned some or all of the equipment used at the Site. As indicated in Finding No. 12 below, Site data indicate that PCE was released prior to 1997. The lease provided that the tenant shall not cause nuisance or violation of laws; shall repair and maintain the premises; and shall surrender the premises in good repair. The landlord has the right to make repairs upon the refusal of the tenant to do so, and to retake possession of the property upon the tenant's default.
7. Bay Granite, Inc., leased and operated the Site as Service Cleaners from approximately 1997 until the business moved to a different location in September 2001. Bay Granite, Inc. used the same equipment as installed in 1994 as described in the Phase I Assessment. The lease provides that the tenant shall not cause nuisance or violation of laws, including Hazardous Waste Laws; shall repair and maintain the premises; and shall surrender the premises in good repair. The landlord has the right to make repairs upon the refusal of the tenant to do so, and to retake possession of the property upon the tenant's default. Pacific Life assumed this lease when it acquired the Site.
8. In September 1999, a prospective buyer of the retail center received results from the Phase II environmental study (Phase II Report), as described in Finding No. 15. The Phase II Report confirmed the presence of PCE in the soil and the groundwater in the vicinity of Service Cleaners.

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As a result, the buyer terminated the transaction. Subsequently, Pacific Life and the buyer agree to a sale of the County Fair Mall, with Pacific Life retaining ownership of Pad 1. That transaction closed on 15 December 1999.

9. There are no known potential sources of PCE at or around the Site other than the former Service Cleaners. No other tenants of the retail center are known to have used PCE.

BACKGROUND

10. The Phase I Assessment was performed at the County Fair Mall by a prospective buyer of the retail center. The assessment disclosed potential environmental contamination based on the use of PCE in particular, at Service Cleaners. The Phase I Assessment stated that a closed-loop dry cleaning system had been in operation since 1994 and that there was no information regarding the previous dry cleaning equipment.
11. Rather than completely containing PCE, a "closed-loop system" is designed mainly to prevent releases of airborne PCE. Other releases of PCE can still occur. For example, closed-loop systems still generate a certain amount of wastewater with high concentrations of PCE, which can be spilled if not properly handled prior to disposal. Leaks of PCE can also result from equipment failures (e.g., clogged filters or leaky valves, pumps or gaskets), which are not uncommon occurrences (Linn and Mixell, *Reported Leaks, Spills and Discharges at Florida Dry Cleaning Sites*, Florida Department of Environmental Protection and Florida State University, respectively).
12. In describing the premises of Service Cleaners, the Phase I Assessment noted that the dry cleaning equipment was installed on a concrete pad, with a metal containment rim surrounding the machine to prevent discharges to the sewer via the floor drain. The boiler room housed additional equipment including a boiler, water heater, and two evaporators. These facilities discharged to a floor sink via four overflow outlets, each of which could have carried PCE releases to the sewer. The boiler room also contained wastewater from the dry cleaning machine in five 5-gallon buckets, all of which were left uncovered so the contents could evaporate with no protection to prevent a spill into the floor drain. Attached to the dry cleaning machine was a collector used to store PCE-containing residue from the equipment. Staining and standing liquid was observed around the collector. Those conditions existed notwithstanding the use of a closed-loop system at the site after 1994.
13. The Phase I Assessment explained that PCE is a known carcinogen, which had already degraded a minimum of 215 water supply wells within the Central Valley, and considered PCE as a potential Site contaminant.
14. Despite having previously received the results of the Phase I Assessment, Pacific Life took title to the property in June 1998 via the Settlement Agreement. Bay Granite, Inc. continued to operate Service Cleaners using PCE. Thus, even though the results of the Phase I Assessment indicated

potential PCE contamination, Pacific Life failed to take immediate steps to cease dry cleaning operations.

15. In August and September 1999, Pacific Life performed a Phase II investigation. The investigation identified PCE in soil at concentrations up to 110 micrograms per kilogram and in groundwater up to 3,300 micrograms per liter ($\mu\text{g}/\text{l}$). Since the Phase II investigation, up to 185 $\mu\text{g}/\text{l}$ of trichloroethene (TCE) also has been detected in the groundwater. Given these levels, releases from the dry cleaner must have occurred prior to 1997. The continued presence of PCE and TCE in the soil and groundwater is an ongoing discharge.
16. About 400 feet north of the Site is City Well 18, which is cross gradient from the dry cleaner and has no reported PCE or TCE concentrations.
17. In September 1999, Pacific Life notified Regional Board staff about the Site, and Regional Board staff began overseeing the investigation and clean up activities performed by Pacific Life.
18. In subsequent investigations from September 1999 to May 2000, Pacific Life defined the lateral and vertical extent of PCE and TCE in soil and groundwater.
19. An investigation report dated August 8, 2000, "Further Investigation of Dry Cleaners," identified evidence of poor hazardous materials housekeeping at Service Cleaners. According to the report, it was the current practice in 1999 to place open "[c]ontainers of wastewater (condensate from the boilers) . . . inside the boiler room to assist in the evaporation of waste liquids . . ." A county inspection on December 27, 1999, revealed (1) "[w]aste containers not kept closed"; (2) "Safety Plan, Contingency Plan and Business Plan not available for inspection"; and (3) "[Material Safety Data Sheets] not available." Finally, in 2000, the "operator of the [dry cleaning] machine said that nothing had changed in the operation of the machine during the approximately 10 years that she had been working for the business." The report concluded that the findings indicated "until very recently the housekeeping practices of the dry cleaner provided for poor waste handling techniques that very likely contributed to the PCE identified in the subsurface."
20. Information provided in the Phase II investigation and in the August 2000 "Further Investigation of Dry Cleaners" establishes that there were discharges or threatened discharges of waste consisting of PCE and other constituents from at least 1997 through at least August 2000 where they have been, or probably will be discharged into waters of the state and create, or threaten to create, a condition of pollution or nuisance.
21. Pacific Life has performed groundwater monitoring at the Site since October 1999. Since July 2003, Pacific Life has operated a soil vapor extraction (SVE) system to remediate volatile organic compounds in soil. The system ceased operating on 19 January 2004 and has removed significant quantities of PCE. Pacific Life turned on the system on 4 February 2004 to take samples for a limited SVE rebound evaluation that showed PCE concentrations had increased since 19 January.

The SVE system is not currently operating. Pacific Life performed sodium permanganate injection bench scale testing for groundwater remediation, which showed this method is not feasible due to the oxidation of naturally occurring trivalent chromium to hexavalent chromium.

22. In March 2003, Roebbelen submitted an inadequate feasibility study work plan for groundwater remediation. In July 2003, Regional Board staff concurred with the revised feasibility study work plan. In November 2003, Roebbelen submitted an inadequate feasibility study. In January 2004, Regional Board staff requested a revised feasibility study by 13 February 2004. In February 2004, Roebbelen submitted a revised feasibility study, which was still inadequate.

AUTHORITY – LEGAL REQUIREMENTS

23. The Regional Board’s *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins, Fourth 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 the Site are domestic, municipal, industrial, and agricultural supply.
24. The wastes detected at the Site are solvents used in the dry cleaning process and breakdown products that are not naturally occurring, and some are known human carcinogens. Pollution of groundwater with these constituents impairs the beneficial uses of the groundwater.
25. WQOs listed in the Basin Plan include numeric WQOs, e.g., state drinking water maximum contaminant levels (MCL) that are incorporated by reference, 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 Regional 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	WQO	Reference
Tetrachloroethene	0.06 µg/L	Narrative Toxicity	California Public Health Goal in Drinking Water – Office of Environmental Health Hazard Assessment
	5.0 µg/L	California Primary MCL	CCR Title 22, Section 64444 California Department of Health Services
Trichloroethene	0.8 µg/L	Narrative Toxicity	California Public Health Goal in Drinking Water – Office of Environmental Health Hazard Assessment.
	5.0 µg/L	California Primary MCL	CCR Title 22, Section 64444 California Department of Health Services

26. The constituents listed in Finding No. 25 are wastes, as defined in the Water Code, Section 13050.

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27. The groundwater exceeds the WQOs for the constituents listed in Finding No. 25. The exceedance of applicable WQOs in the Basin Plan constitutes pollution as defined in Water Code section 13050. The Discharger has caused or permitted waste to be discharged or deposited where it has discharged to waters of the state and has created, and continues to threaten to create, a condition of pollution or nuisance.
28. 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 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 Title 23, California Code of Regulations (CCR) 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.
29. Chapter IV of the Basin Plan contains the *Policy for Investigation and Cleanup of Contaminated Sites*, which describes the Regional Board's strategy for managing contaminated sites. This strategy is based on Water Code Sections 13000 and 13304, the Title 27 CCR, Division 2, Subdivision 1 regulations, and State Board Resolution Nos. 68-16 and 92-49. The strategy 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.
30. 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 Regional Board allows a containment zone. In the interim, and if restoration of background water quality cannot be achieved, the Order 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. 19.)
31. Section 13304(a) of the California Water Code provides 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. Upon failure of any person to comply with the cleanup or abatement order, the Attorney General, at the request of the regional board, shall petition the superior court for that county for the issuance of an injunction requiring the person to comply with the order. In the suit, the court shall have jurisdiction to grant a prohibitory or mandatory injunction, either preliminary or permanent, as the facts may warrant.”

32. Section 13267(b) of the California Water Code provides that:

“(1) 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.”

The technical reports required by this Order are necessary to assure compliance with Section 13304 of the California Water Code. Existing data and information about the Site indicates that waste has been discharged or is discharging at the property, which is owned or operated, or formerly owned or operated by the Discharger named in this Order.

33. Section 13304(c)(1) of the California Water Code provides that:

“. . . 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. . .”

34. Based on the Findings in the Order, the staff report and the presentation, Enwald Enterprises, Inc., as the operator of Service Cleaners beginning in 1986, and Bay Granite, Inc., as the operator of Service Cleaners beginning in 1997, caused or permitted waste to be discharged to waters of the state where it has created and threatens to create a condition of pollution or nuisance.
35. Based on the Findings in the Order, the staff report and the presentation, the owners of the property, including George Carrere, Roebbelen Land Company, and Pacific Life Insurance Company, and the owners of the mall, including George Carrere, Roebbelen Land Company, and Pacific Life Insurance Company, who leased out the Service Cleaners space, are considered dischargers of waste subject to section 13304 of the Water Code because they had knowledge of the discharge and the ability to control it and they owned property at the time discharges of waste occurred at the property that has created and threatens to create a condition of pollution or nuisance.

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36. Based on the facts stated herein and the evidence referenced in the Staff Report, including the testimony presented at the hearing, and the technical reports submitted with regard to investigation of the sites subject to this Order, Pacific Life Insurance Company, Roebbelen Land Company, Mr. Hans Roebbelen, Mr. David Thuleen, Mr. Kenneth Roebbelen, Mr. Terence Street, Mr. George Carrere, Mr. Jerry Enwald, Ms. Caralee Enwald, Enwald Enterprises, Inc., and Bay Granite, Inc. have caused or permitted, or are causing or permitting, waste, i.e., PCE, to be discharged or deposited where it is, or probably will be, discharged into the waters of the state, specifically the groundwater in Woodland in the vicinity of the Service Cleaners site, and have created, or threaten to create, a condition of pollution or nuisance, as provided in Water Code Section 13304.
37. The Regional Board finds that the “Lender Liability” law, Health and Safety Code (HSC) Section 25548 et seq., does not apply to Pacific Life Insurance Company because exemptions from liability authorized in HSC Section 25548.2 and 25548.3 are inapplicable based on HSC Section 255.48.4(i) and 25548.5(a). Pacific Life did not immediately suspend operations with respect to that portion of the property where the known or suspected release or known or suspected release occurred or may occur and Pacific Life did not after foreclosure undertake to be divested of the property in a reasonably expeditious manner.
38. If the Discharger fails to comply with this Order, the Executive Officer may request the Attorney General to petition the superior court for the issuance of an injunction.
39. If the Discharger violates this Order, then the Discharger may be liable civilly in a monetary amount provided by the California Water Code.
40. The issuance of this Order is an enforcement action taken by a regulatory agency and is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000, et seq.) (CEQA), pursuant to Title 14 CCR Section 15321(a)(2). The implementation of this Order is also an action to assure the restoration of the environment and is exempt from CEQA in accordance with Title 14 CCR, Sections 15308 and 15330.
41. The Discharger and interested agencies and persons were notified of a public hearing for the Regional Board to consider adoption of this Order and were provided an opportunity to submit written comments, testimony, and evidence.
42. In a public hearing, the Regional Board heard and considered all comments pertaining to the Order.
43. Any person affected by this action of the Regional Board may petition the State Board to review the action in accordance with Title 23 CCR Sections 2050-2068. The regulations may be provided upon request and are available at www.swrcb.ca.gov. The State Board must receive the petition within 30 days of the date of this Order. The filing of a petition has no immediate effect. The Order, including all tasks and deadlines, continue in full force and effect.

REQUIRED ACTIONS

IT IS HEREBY ORDERED that, pursuant to Section 13300, Section 13304 and Section 13267 of the California Water Code, Pacific Life Insurance Company, Roebbelen Land Company, Mr. Hans Roebbelen, Mr. David Thuleen, Mr. Kenneth Roebbelen, Mr. Terence Street, Mr. George Carrere, Mr. Jerry Enwald, Ms. Caralee Enwald, Enwald Enterprises, Inc., and Bay Granite, Inc., shall:

1. Investigate the discharges of waste, clean up the waste, and abate the effects of the waste, forthwith, resulting from activities at the Former Service Cleaners in conformance with the State Board's Resolution No. 92-49 *Policies and Procedures for Investigation and Cleanup and Abatement of Discharges Under Water Code Section 13304* and with the Regional Board's *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins* (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.

HEALTH RISK ASSESSMENT

2. By **10 September 2004**, submit a work plan and time schedule to prepare a *Health Risk Assessment* (HRA). The work plan for the HRA and the HRA shall be prepared in accordance with the Department of Toxic Substances Control and U.S. EPA guidance and contain the detail and clarity necessary for a lay person from the general public to follow the process and duplicate calculations. Inhalation of the volatile components of the waste (e.g., halogenated and aromatic solvents) must be considered an exposure pathway.
3. Within **30 days** of Regional Board concurrence with the work plan for the HRA, implement the work plan and submit the draft HRA in accordance with the approved time schedule, which shall become part of this Order.
4. Within **45 days** of receiving comments from Regional Board staff on the draft HRA, append agency comments and the Discharger's responses to these comments to a revised draft HRA, and submit to the Regional Board and distribute to interested persons the *Draft for Public Comment HRA*. The public comment period shall extend for 45 days.
5. Within **30 days** of the end of the public comment period, submit and distribute to interested parties a final HRA with an appendix that contains responses to all public comments.

PUBLIC PARTICIPATION

6. By **16 July 2004**, submit a *Public Participation Plan*. The *Public Participation Plan* shall include, but not be limited to, a community profile, public meetings at appropriate milestones in the cleanup (as required by Regional Board staff), public notification of field activities, regular

mailing of fact sheets to interested parties, and maintaining a public library repository of all documents associated with the Site.

SOIL CLEANUP PLAN

7. By **21 May 2004**, submit a *Final Soil Cleanup Plan* consistent with the existing interim SVE system to clean up soils at the Site. The Work Plan shall include a schedule for continued operation of the SVE system and a monitoring schedule or details of a new remedial alternative. The approved time schedule shall become a part of this Order. Within **30 days** of Executive Officer approval of the *Final Soil Cleanup Plan*, the Discharger shall commence soil remediation.
8. Within **120 days** of Executive Officer approval of the *Soil Cleanup Plan*, submit a report describing the results of the soil remedial work (*Soil Cleanup Implementation Report*). The report shall clearly show whether the installation of the remediation system is sufficient to achieve the cleanup goals, and if not, give a schedule and proposed work plan for installation of any additional soil remedial activities.

GROUNDWATER FEASIBILITY STUDY

9. By **18 June 2004**, submit a *Feasibility Study/Remedial Options Evaluation Report* for groundwater remediation. The report shall contain the information in Attachment 2, which is made part of this Order, as well as incorporate changes based on Regional Board staff comments from previously submitted feasibility studies. The proposed preferred alternative must meet the range of cleanup levels as described in the Basin Plan and Resolution No. 92-49. The Discharger shall attempt to clean up each constituent to background concentrations, or to the level that is technically and economically feasible and at least achieves the WQOs of the Basin Plan, listed in Finding No. 23.

GROUNDWATER CLEANUP PLAN

10. Within **90 days** of staff concurrence with the *Feasibility Study/Remedial Options Evaluation Report* for groundwater remediation, submit a *Groundwater Cleanup Plan*, which describes the preferred alternative(s) for groundwater remediation and includes a time schedule to conduct the remediation activities. The approved time schedule to implement the remediation shall become a part of this Order.
11. Within **60 days** of Executive Officer approval of the *Groundwater Cleanup Plan*, commence groundwater remediation or installation of the groundwater remediation system. The Discharger shall notify Regional Board staff by telephone a minimum of 3 days prior to beginning field work.
12. Within **120 days** of implementing the *Groundwater Cleanup Plan*, submit a *Groundwater Cleanup Implementation Report*, which describes the groundwater remediation system and assesses the effectiveness of the remediation. The report shall also clearly show whether the installation of any

remediation system is complete, and if not, give a schedule and proposed work plan for installation of the remaining remedial activities, including a proposed monitoring plan.

GROUNDWATER MONITORING

13. Comply with any MRP issued by the Executive Officer.

GENERAL REQUIREMENTS

14. Continue to reimburse the Regional Board for reasonable costs associated with oversight of the cleanup of this facility. Failure to reimburse the Regional Board's reasonable oversight costs shall be considered a violation of this Order.
15. Conduct work only after work plans have received concurrence by Regional Board staff.
16. Submit all reports with a cover letter from the Discharger or the Discharger's representative.
17. Fourteen days prior to conducting any field work, submit a Health and Safety Plan that is adequate to ensure worker and public safety during the field activities in accordance with CCR Title 8, Section 5192.
18. As required by the California Business and Professions Code Sections 6735, 7835, and 7835.1, have appropriate reports prepared by, or under the supervision of, a registered professional engineer or geologist and signed by the registered professional. All technical reports submitted by the Discharger shall include a statement signed by the authorized representative certifying under penalty of law that the representative has examined and is familiar with the report and that to his knowledge, the report is true, complete, and accurate.
19. Upon startup of any remediation system(s), operate the remediation system(s) continuously, except for periodic and required maintenance or unpreventable equipment failure. The Discharger shall notify Regional Board staff 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 Regional Board staff or without notifying the Regional Board within the specified time is a violation of this Order.
20. Optimize remedial systems as needed to improve system efficiency, operating time, and/or pollutant removal rates, and report on the effectiveness of the optimization in the Annual Report.

21. Notify Regional Board staff at least three working days prior to any work, testing, or sampling that pertains to environmental remediation and investigation that is not routine monitoring, maintenance, or inspection.
22. Obtain all local and state permits and access agreements necessary to fulfill the requirements of this Order prior to beginning the work.
23. Continue any remediation or monitoring activities until such time as the Executive Officer determines that sufficient cleanup has been accomplished to fully comply with this Order and this Order has been rescinded.
24. If, for any reason, the Discharger is 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 Executive Officer, the Discharger may request, in writing, an extension of the time specified. The written extension request shall include justification for the delay and must be received by the Regional Board not less than 15 calendar days prior to the deadline sought to be extended. An extension may be granted by revision of this Order or by a letter from the Executive Officer.
25. This Order in no way limits the authority of this Regional Board to institute additional enforcement actions or to require additional investigation and cleanup consistent with California Water Code. This Order may be revised by the Executive Officer as additional information becomes available.
26. If, in the opinion of the Executive Officer, the Discharger fails to comply with the provisions of this Order, the Executive Officer may refer this matter to the Attorney General for judicial enforcement or may issue a complaint for administrative civil liability.

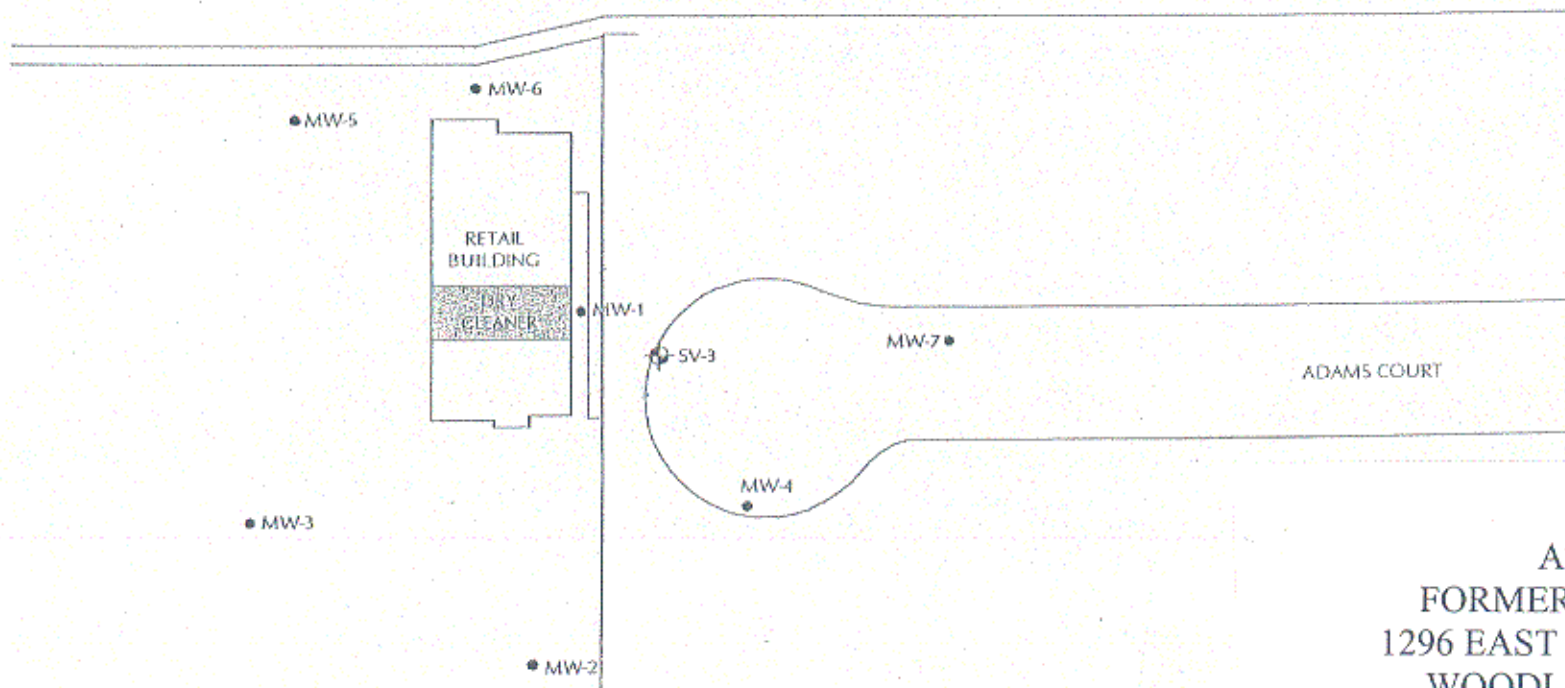
I, THOMAS R. PINKOS, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Central Valley Region, on 23 April 2004.

original signed by

THOMAS R. PINKOS, Executive Officer

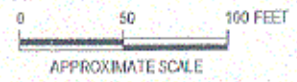


East Gibson Road



EXPLANATION

- SV-3 ⊕ New soil vapor/groundwater monitoring well location
- MW-1 ● Monitoring well location
- MW-9 △ "Deep" groundwater monitoring well location
- ⊕ Municipal well location



ATTACHMENT 1
FORMER SERVICE CLEANERS
1296 EAST GIBSON ROAD, SUITE C
WOODLAND, YOLO COUNTY