

Buciak, Melissa@Waterboards

From: Snyder, Clint@Waterboards
Sent: Wednesday, March 13, 2013 12:32 PM
To: Carrigan, Cris@Waterboards
Subject: Request for Assistance
Attachments: PaylessFood&Gas.pdf

Hi Cris,

Please see attached memo and supporting documentation regarding the Payless Food and Gas UST Case. I would appreciate any assistance your staff could provide in this matter.

Thanks for your help.

Clint.

Clint E. Snyder, P.G.
Assistant Executive Officer

Central Valley Water Board
364 Knollcrest Drive, Suite 205
Redding, CA 96002
530.224.3213

Your message is ready to be sent with the following file or link attachments:

PaylessFood&Gas.pdf

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that this is crucial for ensuring transparency and accountability in the organization's operations.

2. The second part of the document outlines the various methods and tools used to collect and analyze data. It highlights the need for consistent and reliable data collection processes to support effective decision-making.

3. The third part of the document focuses on the role of technology in data management and analysis. It discusses how modern software solutions can streamline data collection, storage, and reporting, thereby improving efficiency and accuracy.

4. The fourth part of the document addresses the challenges associated with data security and privacy. It provides guidelines for implementing robust security measures to protect sensitive information from unauthorized access and breaches.

5. The fifth part of the document concludes by summarizing the key findings and recommendations. It stresses the importance of ongoing monitoring and evaluation to ensure that data management practices remain effective and aligned with the organization's goals.



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

TO: Chris Carrigan
Director, Office of Enforcement
State Water Resources Control Board

FROM: Clint Snyder
Assistant Executive Officer
Central Valley Water Board, Redding

DATE: 11 March 2013

**SUBJECT: REQUEST FOR ASSISTANCE, VIOLATIONS OF WC SECTION 13267 AND
FAILED PAYMENT OF UST FUNDS, , PAYLESS GAS & FOOD MART, 3440
SOUTH MARKET STREET, REDDING, SHASTA COUNTY**

The purpose of this memo is to request your staff's assistance and/or consultation with UST Case #450240, UST Cleanup Fund Claim #13623, Payless Gas and Food Mart, 3440 South Market Street, Redding, Shasta County (the "Site")

This Site is currently an active service station and convenience store. Investigation and remediation activities on this Site ceased in about 2009/2010 when the Discharger failed to reimburse its consultant, SHN Consulting Engineers & Geologists, Inc. (SHN) \$59,786.97 for services completed between March 2008 and January 2009. Per the attached record the Discharger received this payment from the UST Cleanup Fund and failed to reimburse its consultant. Per the UST Cleanup Fund no further reimbursements will be made until the UST Fund receives copies of appropriate cancelled checks.

While Central Valley Water Board staff has no interest in these civil matters, they may be of interest to the Office of Enforcement. Central Valley Water Board staff does however wish to discuss these matters as they have and continue to affect investigation and remediation activities at this Site. Particularly staffs wish to discuss implications of pursuing violations under section 13268 or potentially issuing a Cleanup and Abatement Order.

Following discussions with your staff we will bring this matter to the attention of our Enforcement Group and chart a path forward. Pertinent documents are attached.

I appreciate your consideration.

Mark Chaney

From: Mark Chaney [mchaney@shn-engr.com]
Sent: ~~Monday, February 18, 2013 10:21 AM~~
To: 'Buciak, Melissa@Waterboards'
Cc: 'Mike Foget'
Subject: Payless Gas Meeting

Melissa

Here is an update on the progress, or lack thereof, on the Payless site.

I met with Hardip Singh Sandhu last Friday (2/15/13) to discuss the Payless Gas site.

Our meeting was much shorter than I had imagined, and had little positive outcome. Essentially the points of the meeting that Mr. Singh discussed were:

1. He has no money to pay SHN now
2. He has been working with his attorney and the bank
3. He intends to draw up legal papers that provide SHN with some form of a lien on the property (we have not seen or had any previous discussions, and may not accept terms)
4. He will not be able to pay SHN in full, but will make "some amount" of payment
5. He was not able to provide any details on the payment amount
6. He indicated that it would be 30-45 days before he would have any additional information for us
7. He assured me that SHN would get paid at some point

Based on this, we are at the same point we were at 2 years ago. I told Sandhu that we would not be able to do any work at the site until we got paid in full for our past work. He currently owes SHN +\$59K in USTCF reimbursed work, and an additional +\$24K in work that we have completed but cannot request reimbursement from the USTCF as the other money isn't paid. Even if I am optimistic and assume that he can make a \$5,000 payment each month, that is 12 months of payments, just to take care of the past USTCF reimbursements. Add on another 6 months of payments to cover outstanding work product completed by SHN, and then tack on another 3 months to build up a retainer so we can protect ourselves, and you have about 2 years before it appears that there will be any work at the site.

Of course, should we see some progress from him, other than promises, this might change the picture for us.

Mark S. Chaney

SEN Consulting Engineers & Geologists, Inc

Principal

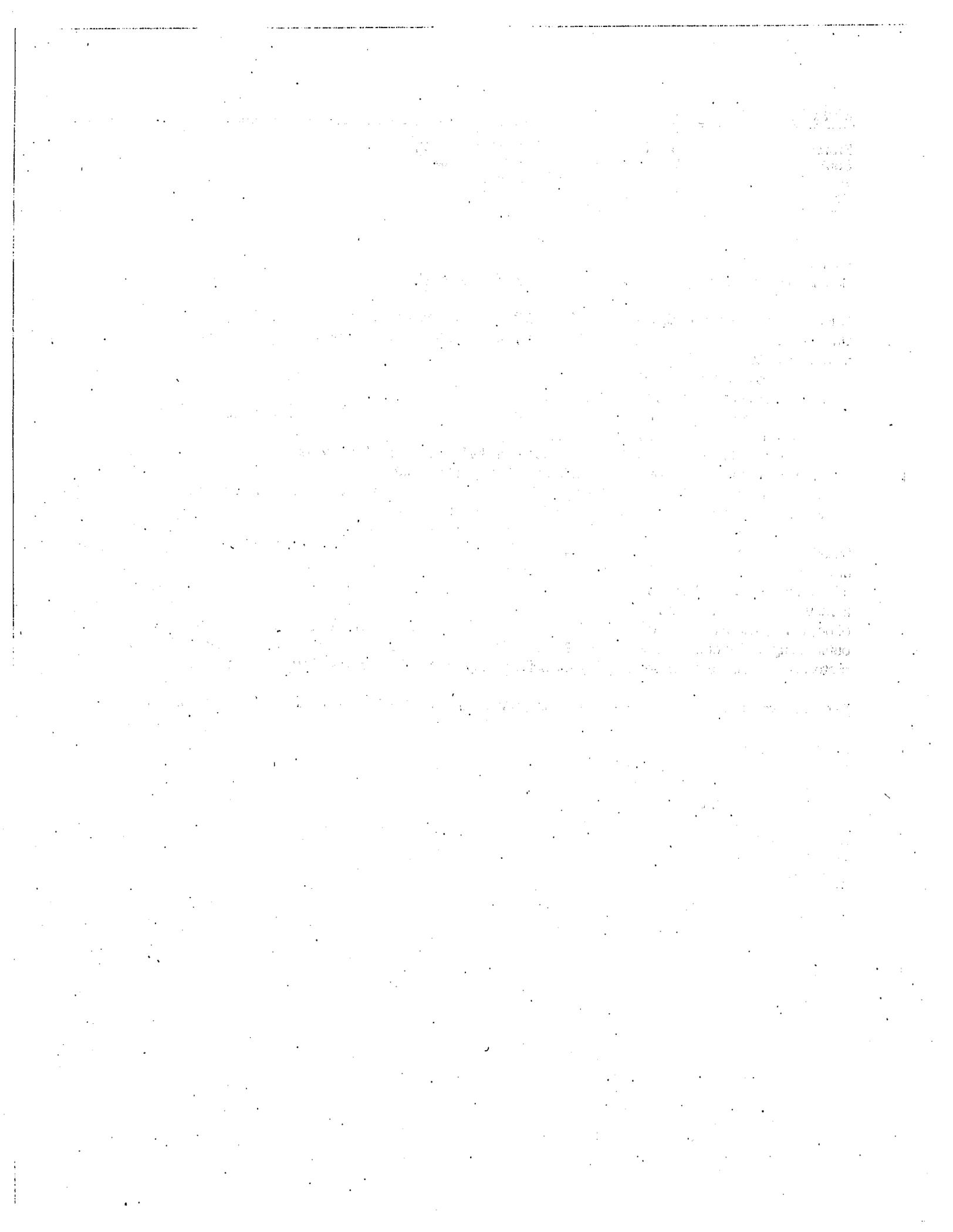
350 Hartnell Avenue, Suite B

Redding, CA 96002

530-221-5424

530-221-0135 fax

mchaney@shn-engr.com



Buciak, Melissa@Waterboards

From: Mark Chaney <mchaney@shn-engr.com>
Sent: ~~Friday, February 01, 2013 9:22 AM~~
To: Buciak, Melissa@Waterboards
Subject: RE: Contact with the Payless Gas & Foot Mart Discharger

Thanks Melissa

I requested a meeting on Friday 2/8 in Redding.

Email back from client said he would contact me next week about meeting. Past experience is that he will push that meeting a week or more out.

I'll keep you updated.

Mark

Mark S. Chaney

SHN Consulting Engineers & Geologists, Inc

Principal

350 Hartnell Avenue, Suite B

Redding, CA 96002

530-221-5424

530-221-0135 fax

mchaney@shn-engr.com

From: Buciak, Melissa@Waterboards [<mailto:Melissa.Buciak@waterboards.ca.gov>]

Sent: Friday, February 01, 2013 8:56 AM

To: Mark Chaney

Subject: RE: Contact with the Payless Gas & Foot Mart Discharger

The discharger did call me after you spoke with him. I re-emphasized that all items on the 13267 order need to be addressed during your meeting and understand SHN's position with regards to the civil matter.

Let me know when you have your meeting set. Also, after your meeting occurs, if you could follow-up with me as to the outcome, that would be great. The outcome of your meeting will determine the path forward.

Thanks,
Melisa

Melissa Buciak
Engineering Geologist

Cal/EPA – Water Quality Control Board
Central Valley Region – Redding Office
(530) 224-4854

From: Mark Chaney [mailto:mchaney@shn-engr.com]
Sent: Wednesday, January 30, 2013 11:36 AM
To: Buciak, Melissa@Waterboards
Subject: RE: Contact with the Payless Gas & Foot Mart Discharger

Melissa

Called and left a message with Sandhu's cell phone. No reply.

Called again today (1/31) and left a message @11:26. Sandhu returned my call about 11:30.

Sandhu wants to meet with SHN and discuss payments and reactivation of the Payless site. I have agreed to meet, it wont be until about 2/8 or later. However, we have no commitment at this time that the client will pay, though he says he will. SHN will not make any commitment to restarting remediation work and closing the site until we are fully compensated for past work.

At this point I don't know how our meeting will affect enforcement action from the Board. Frankly, SHN has been down this road with the client before, and we had no positive results. I am not optimistic that there will be a positive outcome this time, but am willing to try again.

I urged Sandhu to contact you and talk about the case, as he wanted me to contact you and request that you wait to take any further action until he can make arrangements for payment and restarting work at the site.

Mark

Mark S. Chaney

SHN Consulting Engineers & Geologists, Inc

Principal

350 Hartnell Avenue, Suite B

Redding, CA 96002

530-221-5424

530-221-0135 fax

mchaney@shn-engr.com

From: Buciak, Melissa@Waterboards [mailto:Melissa.Buciak@waterboards.ca.gov]

Sent: Wednesday, January 30, 2013 10:35 AM

To: Mark Chaney

Cc: 'Jeff Nelson'; 'Brenda J. Sigler'

Subject: Contact with the Payless Gas & Foot Mart Discharger

Mark,

I left you a message yesterday checking to see if you were able to contact the discharger of the Payless Gas & Food Mart site located in Redding? As you indicated, the discharger sent you an email on 18 January 2013 wanting to discuss the "money". If you have contacted them and they haven't been responsive, we will move forward with formal enforcement.

If you could let me know one way or any by COB Thursday, that would be great. We need to keep the momentum going with the site.

Again, appreciate all of the assistance you have given me thus far.

Thanks,
Melissa

Melissa Buciak
Engineering Geologist

Cal/EPA - Water Quality Control Board
Central Valley Region
364 Knollcrest Drive, Suite 205
Redding, CA 96002
(530) 224-4854

Protecting Human Health and the Environment



Buciak, Melissa@Waterboards

From: Mark Chaney <mchaney@shn-engr.com>
Sent: ~~Friday, January 18, 2013 5:05 PM~~
To: Buciak, Melissa@Waterboards
Subject: FW: payless gas

Melissa,
Here is the email I received from the discharger.

I will attempt to contact him per his request next week.

Mark

Mark S. Chaney
SHN Consulting Engineers & Geologists, Inc
Principal
350 Hartnell Avenue, Suite B
Redding, CA 96002
530-221-5424
530-221-0135 fax
mchaney@shn-engr.com

From: Hardip Singh Sandhu [<mailto:97minimart@gmail.com>]
Sent: Friday, January 18, 2013 3:22 PM
To: Mark Chaney (SHN-Yreka)
Subject: payless gas

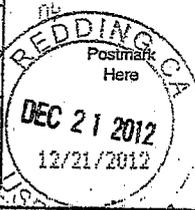
HELLO MARK.call me tuesday next week.i want to discuss money part.530.262.3359.

7009 2250 0002 9885 5280

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only, No Insurance Coverage Provided)

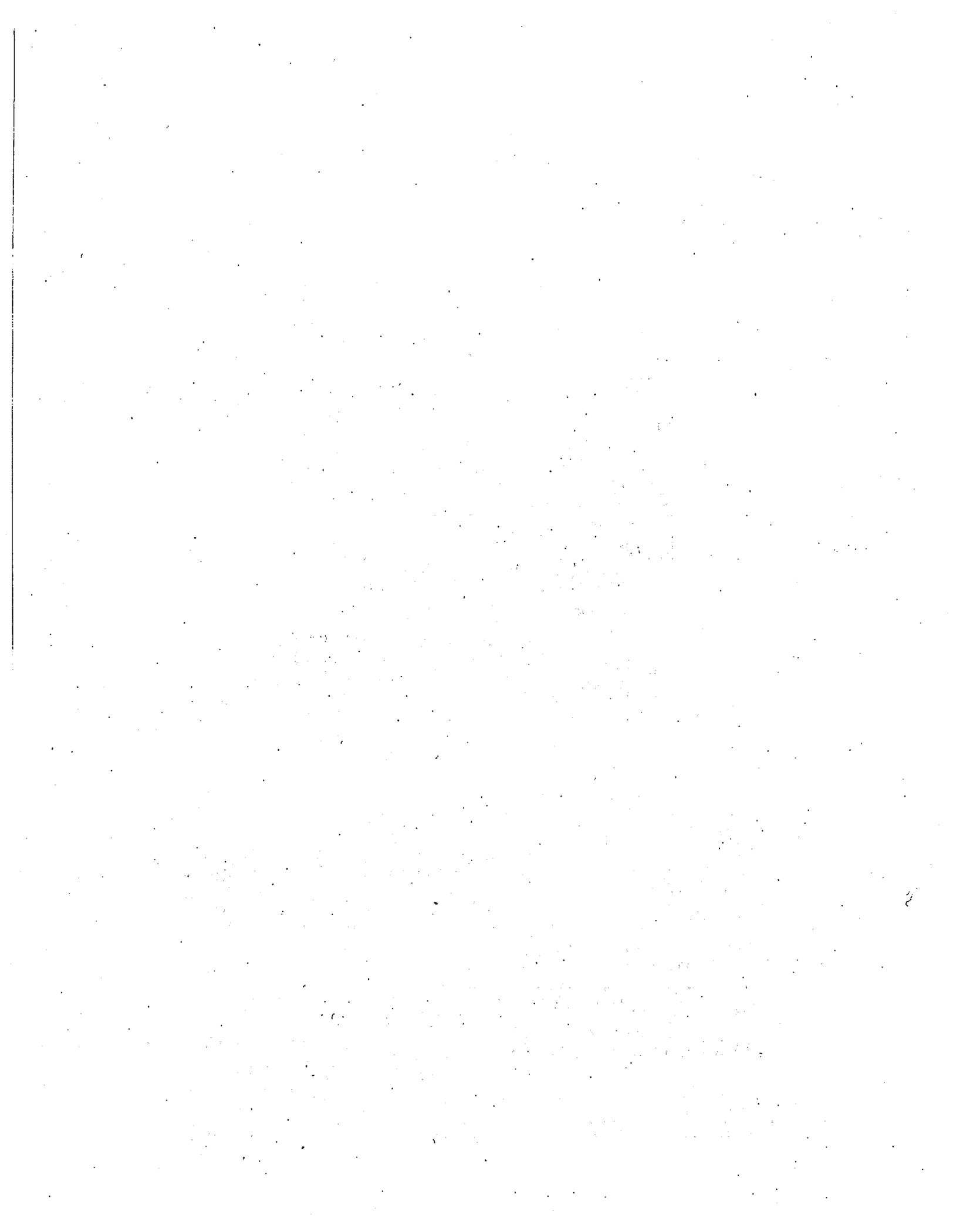
For delivery information visit our website at www.usps.com
OFFICIAL USE

Postage	\$	90.45
Certified Fee		\$2.75
Return Receipt Fee (Endorsement Required)		\$2.35
Restricted Delivery Fee (Endorsement Required)		\$0.00
Total Postage & Fees	\$	\$95.75



Sent To: Jaswinder Shergill
Street, Apt. No., or PO Box No.: 420 Alamo Ave
City, State, ZIP+4: Weed, CA 96094

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired. Print your name and address on the reverse so that we can return the card to you. Attach this card to the back of the mailpiece, or on the front if space permits. 	<p>A. Signature <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) _____ C. Date of Delivery 12/21/12</p> <p>D. Is delivery address different from Item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below: _____</p>
<p>1. Article Addressed to:</p> <p>Jaswinder Shergill 420 Alamo Ave Weed, CA 96094</p>	<p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>
<p>2. Article Number (Transfer from service label)</p> <p>7009 2250 0002 9885 5280</p>	<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>





EDMUND G. BRUNN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

~~21 December 2012~~

CERTIFIED MAIL

7009 2250 0002 9885 5280

Jaswinder Shergill
Hardip Singh Sandhu
420 Alamo Avenue
Weed, CA 96094

ORDER TO SUBMIT TECHNICAL REPORTS IN ACCORDANCE WITH SECTION 13267 OF THE CALIFORNIA WATER CODE, PAYLESS GAS & FOOD MART, 3440 SOUTH MARKET STREET, REDDING, SHASTA COUNTY

You are legally obligated to respond to this Order. Please read this Order carefully.

Central Valley Regional Water Quality Control Board (Central Valley Water Board) staff has reviewed the 14 June 2011 *First Half 2011 Groundwater Monitoring Report* prepared by your consultant SHN Consulting Engineers & Geologists, Inc. (SHN). Based on the recent groundwater data from first quarter 2011, residual contaminant mass is present in the source area. The table below summarizes current maximum remaining concentrations and applicable regulatory limit levels.

Constituent	Maximum Level Remaining (ug/l)	Regulatory Limit (ug/l)	Comments
TPHg	63,000	5	Taste and Odor Threshold
Benzene	ND	1	California Primary MCL
Toluene	760	150	California Primary MCL
Ethylbenzene	1,800	300	California Primary MCL
Xylenes	21,000	1,750	California Primary MCL
MTBE	1,000	13	California Primary MCL

ND = below detection limits.

Groundwater remediation began at the site in November 2006 and consisted of an ozone sparge system. Due to budgetary constraints, the ozone treatment system has not operated since March 2009. In a letter dated 15 July 2011, your consultant indicated that they received notification from the State's Underground Storage Tank Cleanup Fund that site remediation activities were approved for the maximum reimbursement of \$50,000 for Fiscal Year 2011-2012. In accordance with the approved Corrective Action Plan and Remedial Action Plan, the following tasks were to be implemented:

1. Re-initiation of the ozone treatment system at the site with associated operation and maintenance activities.
2. Continue groundwater monitoring at the site on a semi-annual basis, with monitoring in the third quarter 2011 and first quarter 2012.

KARL E. LONGLEY ScD, P.E., CHAIR | PAMELA C. CREEDON P.E., BOEE, EXECUTIVE OFFICER

354 Knollcrest Drive, Suite 205, Redding, CA 96002 | www.waterboards.ca.gov/centralvalley

None above the abovementioned tasks have been completed. Therefore, pursuant to Water Code section 13267, you are hereby required to provide a technical memorandum providing reasons why the remediation system is not currently operating and why there has been no activity at the site since the letter dated 15 July 2011. This technical memorandum shall be submitted to this office **by 18 January 2013**. Furthermore, groundwater monitoring shall be conducted during the first quarter 2013 **by 31 March 2013** with the associated groundwater monitoring report due to this office **by 30 April 2013**.

Water Code section 13267 (b)(1) states, in part:

"In conducting an investigation . . . , 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 . . . 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."

Furthermore, the California Code of Regulations, title 23, section 2720, defines a responsible party as:

... any person who owns or operates an underground storage tank used for the storage of any hazardous substance... any person who owned or operated the underground storage tank immediately before the discontinuation of its use... any owner of property where an unauthorized release of a hazardous substance from an underground storage tank has occurred, and 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.

A responsible party has a legal obligation to investigate and remediate contamination. You are subject to this Order because you either owned the property, and/or the underground storage tanks at the time of, or following, an unauthorized release of a hazardous substance, and therefore you are a "person who has discharged ... waste" within the meaning of Water Code section 13267. The groundwater monitoring and reporting is necessary by this Order is required to ensure protection of waters of the state and to protect public health. Failure to submit the technical memorandum or the groundwater monitoring report by the due dates indicated above may result in additional enforcement action(s) being taken against you. Failing to submit the technical memorandum or the groundwater monitoring report by due dates indicated above is a misdemeanor, and the Central Valley Water Board may impose liability of up to \$1,000 (one thousand dollars) per day for late or falsified reports pursuant to Water Code section 13268.

Furthermore, compliance with Central Valley Water Board requirements is mandatory in order to be eligible for reimbursement of corrective action costs from the State's Underground Storage Tank Cleanup Fund according to California Code of Regulations, title 23, section 2812.2. All work shall be performed according to the Tri-Regional Recommendations for Preliminary

Jaswinder Shergill
Hardip Singh Sandhu

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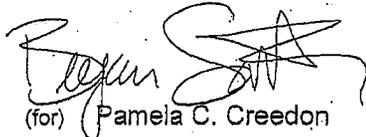
21 December 2012

Investigation and Evaluation of Underground Storage Tank Sites, and permits required by State, County, and Local agencies.

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 <https://geotracker.waterboards.ca.gov>. Electronic copies are due to GeoTracker concurrent with the corresponding hard copy. Electronic submittals shall comply with GeoTracker standards and procedures as specified on the State Water Resources Control Board's (State Board) web site.

Any person affected by this action of the Central Valley Water Board may petition the State Board to review the action in accordance with CWC section 13320 and California Code of Regulations, title 23, section 2050. The petition must be received by the State Board, Office of Chief Counsel, P. O. Box 100 Sacramento, 95812, within 30 days of the date of this order. Copies of the law and regulations applicable to filing petitions will be provided upon request.

If you have any questions, please contact Melissa Buciak at (530) 224-4854, mbuciak@waterboards.ca.gov, or the footer address.



(for) Pamela C. Creedon

Executive Officer

MAB: mlr

cc: Mr. Kevin Westlake, Shasta County Environmental Health Division, Redding
Mr. Mark Chaney, SHN Consulting Engineers & Geologists, Inc., Redding

1. The first part of the document discusses the importance of maintaining accurate records of all transactions and activities. It emphasizes that this is essential for ensuring transparency and accountability in the organization's operations.

2. The second part of the document outlines the various methods and tools used to collect and analyze data. It highlights the need for a systematic approach to data collection and the importance of using reliable and valid measurement instruments.

3. The third part of the document discusses the ethical considerations that must be taken into account when conducting research. It stresses the importance of obtaining informed consent from participants and ensuring that their privacy and confidentiality are protected throughout the study.

4. The fourth part of the document describes the various types of research designs that can be used to investigate different research questions. It compares and contrasts experimental, quasi-experimental, and non-experimental designs, highlighting their strengths and limitations.

5. The fifth part of the document discusses the importance of data analysis and interpretation. It emphasizes that researchers must use appropriate statistical techniques to analyze their data and draw valid conclusions from their findings.

6. The sixth part of the document discusses the importance of reporting research findings. It emphasizes that researchers must provide a clear and concise summary of their study, including the research objectives, methods, results, and conclusions.

7. The seventh part of the document discusses the importance of peer review and the publication of research findings. It emphasizes that peer review is a critical process that helps to ensure the quality and validity of research, and that researchers should aim to publish their findings in reputable journals.

CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD

RECORD OF COMMUNICATION

Phone Call Other (specify) _____
 Meeting

PARTIES

Mark Chaney, SHN

Melissa Buciak, Central Valley Water Board

DATE: ~~December 12, 2012~~

TIME: 1500

* Party Initiating Communication

SUBJECT: Status of Payless Gas & Food Mart, 3440 South Market Street, Redding, Shasta County

FILE: Payless Gas & Food Mart, UST Case #450240

SUMMARY OF COMMUNICATION:

I spoke with the consultant on 12 December 2012 at approximately 1500 to inquire whether the Discharger contacted him after receipt of the 13267 Order to Submit Technical Reports in Accordance with Section 13267 of the California Water Code (13267 Order). Mark Chaney/SHN is the PM for this site and he tried to call the Discharger a couple of times since receipt of the 13267 Order but there was no answer. The 13267 Order requested a technical memorandum by 15 December 2012 providing reasons why there has been activity on the site since the letter dated 15 July 2011.

The Discharger is Ms. Jaswinder Shergill, 97minimart@gmail.com 530-262-3359.

CONCLUSIONS, ACTION TAKEN OR REQUIRED:

Note that the 13267 Order was not sent via certified mail.

REVIEWED BY:

WRITTEN BY:
Melissa Buciak

100

100

100

100

100

100

100



EDMUND G. BROWN JR.
GOVERNOR



MATTHEW RODRIGUEZ
SECRETARY FOR
ENVIRONMENTAL PROTECTION

Central Valley Regional Water Quality Control Board

~~15 October 2012~~

DE PLEASE NOTE: NOT CERTIFIED MAIL

Jaswinder Shergill
Hardip Singh Sandhu
420 Alamo Avenue
Weed, CA 96094

ORDER TO SUBMIT TECHNICAL REPORTS IN ACCORDANCE WITH SECTION 13267 OF THE CALIFORNIA WATER CODE, PAYLESS GAS & FOOD MART, 3440 SOUTH MARKET STREET, REDDING, SHASTA COUNTY

You are legally obligated to respond to this Order. Please read this Order carefully.

Central Valley Regional Water Quality Control Board (Central Valley Water Board) has reviewed the 14 June 2011 *First Half 2011 Groundwater Monitoring Report* by your consultant SHN Consulting Engineers & Geologists, Inc. (SHN). Based on the recent groundwater data from first quarter 2011, residual contaminant mass is present in the source area. The table below summarizes current maximum remaining concentrations and applicable regulatory limit levels.

Constituent	Maximum Level Remaining (ug/l)	Regulatory Limit (ug/l)	Comments
TPHg	63,000	5	Taste and Odor Threshold
Benzene	ND	1	California Primary MCL
Toluene	760	150	California Primary MCL
Ethylbenzene	1,800	300	California Primary MCL
Xylenes	21,000	1,750	California Primary MCL
MTBE	1,000	13	California Primary MCL

ND = below detection limits.

Groundwater remediation began at the site in November 2006 and consisted of an ozone sparge system. Due to budgetary constraints, the ozone treatment system has not operated since March 2009. In a letter dated 15 July 2011, your consultant indicated that they received notification from the Underground Storage Tanks Cleanup Fund that site remediation activities were approved for the maximum reimbursement of \$50,000 for Fiscal Year 2011-2012. In accordance with the approved Corrective Action Plan and Remedial Action Plan, the following tasks were to be implemented:

1. Re-initiation of the ozone treatment system at the site with associated operation and maintenance activities.
2. Continue groundwater monitoring at the site on a semi-annual basis, with monitoring in the third quarter 2011 and first quarter 2012.

KARL E. LONGLEY SCD, P.E., CHAIR | PAMELA C. CREEDON P.E., BCEE, EXECUTIVE OFFICER

364 Knollcrest Drive, Suite 205, Redding, CA 96002 | www.waterboards.ca.gov/centralvalley

Although the Central Valley Water Board staff did not formerly respond to this plan, none above the abovementioned tasks have been completed.

Therefore, pursuant to Water Code section 13267, you are hereby required to provide a technical memorandum providing reasons why the remediation system is not currently operating and there has been no activity at the site since the letter dated 15 July 2011. This technical memorandum shall be submitted to this office **by 15 December 2012**. Furthermore, groundwater monitoring shall be conducted during the first quarter 2013 **by 31 March 2013** with the associated groundwater monitoring report due to this office **by 30 April 2013**.

Water Code section 13267 (b)(1) states, in part:

"In conducting an investigation . . . , the regional board may require that any person who has discharged, discharged, or is suspected of having discharged or, discharging, or who proposes to discharge waste 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."

Furthermore, the California Code of Regulations, title 23, section 2720, defines a responsible party as:

... any person who owns or operates an underground storage tank used for the storage of any hazardous substance... any person who owned or operated the underground storage tank immediately before the discontinuation of its use... any owner of property where an unauthorized release of a hazardous substance from an underground storage tank has occurred, and 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.

A responsible party has a legal obligation to investigate and remediate contamination. You are subject to this Order because you either owned the property, and/or the underground storage tanks at the time of, or following, an unauthorized release of a hazardous substance, and therefore you are a "person who has discharged ... waste" within the meaning of Water Code section 13267. The GWR required by this Order is required to ensure protection of waters of the state and to protect public health. Failure to submit the groundwater monitoring report **by 30 April 2013** may result in additional enforcement action(s) being taken against you. Failing to submit the groundwater monitoring report by the above deadline is considered a misdemeanor, and the Central Valley Water Board may impose liability of up to \$1,000 per day for late or falsified reports pursuant to Water Code section 13268.

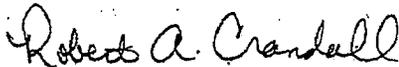
Furthermore, compliance with Central Valley Water Board requirements is mandatory in order to be eligible for reimbursement of corrective action costs from the State's Underground Storage Tank Cleanup Fund according to California Code of Regulations, title 23, section 2812.2. All work shall be performed according to the Tri-Regional Recommendations for Preliminary

Investigation and Evaluation of Underground Storage Tank Sites, and permits required by State, County, and Local agencies.

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 <https://geotracker.waterboards.ca.gov>. Electronic copies are due to GeoTracker concurrent with the corresponding hard copy. Electronic submittals shall comply with GeoTracker standards and procedures as specified on the State Water Resources Control Board's (State Board) web site.

Any person affected by this action of the Central Valley Water Board may petition the State Board to review the action in accordance with CWC section 13320 and California Code of Regulations, title 23, section 2050. The petition must be received by the State Board, Office of Chief Counsel, P. O. Box 100 Sacramento, 95812, within 30 days of the date of this order. Copies of the law and regulations applicable to filing petitions will be provided upon request.

If you have any questions, please contact Melissa Buciak at (530) 224-4854, mbuciak@waterboards.ca.gov, or the footer address.



Robert A. Crandall
Assistant Executive Officer

MAB: jmtm

cc: Mr. Kevin Westlake, Shasta County Environmental Health Division, Redding
Mr. Mark Chaney, SHN Consulting Engineers & Geologists, Inc., Redding

[The page contains extremely faint and illegible text, likely bleed-through from the reverse side of the document. No specific content can be transcribed.]

Buciak, Melissa@Waterboards

From: Mark Chaney <mchaney@shn-engr.com>
Sent: Wednesday, ~~October 10, 2012~~ 2:55 PM
To: Buciak, Melissa@Waterboards
Cc: 'Mike Foget'; 'Mike Palmer'; 'Roland Rueber'
Subject: Payless Gas & Food Mart
Attachments: 20111014-Payless ltr from lawyer.pdf

Melissa,

Thanks for your help on this project. As we discussed, had SHN been reimbursed by the Client as he was paid by the USTCF we would no doubt be at or very near closure on this site.

Here is the contact info that I have for the clients. Also included is the RR#15 payment notice and our attempt to recoup our costs on the project (attorney letter). *(See Attached Letter)*

Clients Contact:

Hardip Singh Sandhu-agent, site manager and primary contact for SHN.

Jaswinder Shergill (we also note in our files "Jaswinder Singh Sandhu-wife) who signed our contract.

Address: 420 Alamo Avenue, Weed, CA 96094.

Phone Numbers that we have are: 530-262-3359; 530-938-4134 (Weed Store [97 Mini Mart]); FAX 530-938-3378.

Email: 97minimart@gmail.com

Mark S. Chaney

SHN Consulting Engineers & Geologists, Inc

Principal

350 Hartnell Avenue, Suite B

Redding, CA 96002

530-221-5424

530-221-0135 fax

mchaney@shn-engr.com

LAW OFFICES OF
BRAGG, PERLMAN, RUSS, STUNICH & EADS LLP

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RECEIVED
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OCT 17 2011

~~October 14, 2011~~

Jaswinder Shergil
Hardip Singh Sandhu
d.b.a Payless Gas & Food Mart
Weed, California 96094

Re: Payless Gas & Food Mart, 3440 South Market Street, Redding, California

I am writing to you regarding an outstanding debt that you owe to SHN Consulting Engineers & Geologists, Inc. (hereinafter SHN). This letter is an attempt to collect that debt. Pursuant to an agreement dated March 26, 2007, you retained SHN to perform work related to your property and the associated environmental liability, located at 3440 South Market Street, Redding, California, located at 3440 South Market Street, Redding, California."

You currently owe SHN \$82,980.19 for work performed at 3440 South Market Street, Redding, California. You were reimbursed by the State of California the sum of \$59,786.97 due to the foregoing work performed by SHN, but you retained the payment. Consequently, you have been suspended from any further state payments pending payment to SHN and a review of this case by the state.

If payment is not received within 30 days or if alternative payment arrangements have not been agreed to in writing, SHN will have no choice but to file a breach of contract claim against you.

While Hardip Singh Sandhu was not a signatory to the written agreement, he is still obligated to SHN on a quantum meruit theory of liability because he definitely requested work to be performed for his benefit and the invoice for that work remains outstanding. Work was conducted under his personal involvement. A quantum meruit claim is a quasi-contract claim for the reasonable value of services rendered. (See Jogani v. Superior Court (2008) 2008 WL 2941864.) Here, there can be no question that SHN simply seeks the reasonable value of the services it rendered at both of your requests and under your express and implicit promises to pay.

In addition, Hardip Singh Sandhu is also plainly liable to SHN under the terms of the written contract between SHN and Jaswinder Shergill. You both undertook a course of action that reasonably led SHN to believe you were partners for which you are both liable for the partnership debts.

A partnership can be an informal and oral one. (Promotus Enterprises, Inc. v. Jiminez (1971) 21 Cal.App.3d 560, 566.) A partnership is merely an association of two or more persons to carry on as co-owners a business for profit. (Hunter v. Croysdill (1959) 169 Cal.App.2d 307, 313.)

California Corporations Code, § 16301 provides:

(1) Each partner is an agent of the partnership for the purpose of its business. An act of a partner, including the execution of an instrument in the partnership name, for apparently carrying on in the ordinary course the partnership business or business of the kind carried on by the partnership binds the partnership, unless the partner had no authority to act for the partnership in the particular matter and the person with whom the partner was dealing knew or had received a notification that the partner lacked authority.

Corporations Code, § 16308 provides:

(a) If a person, by words or conduct, purports to be a partner, or consents to being represented by another as a partner, in a partnership or with one or more persons not partners, the purported partner is liable to a person to whom the representation is made, if that person, relying on the representation, enters into a transaction with the actual or purported partnership. If the representation, either by the purported partner or by a person with the purported partner's consent, is made in a public manner, the purported partner is liable to a person who relies upon the purported partnership even if the purported partner is not aware of being held out as a partner to the claimant. If partnership liability results, the purported partner is liable with respect to that liability as if the purported partner were a partner. If no partnership liability results, the purported partner is liable with respect to that liability jointly and severally with any other person consenting to the representation.

(b) If a person is thus represented to be a partner in an existing partnership, or with one or more persons not partners, the purported partner is an agent of persons consenting to the representation to bind

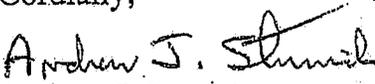
Jaswinder Shergil
Hardip Singh Sandhu
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Page 3

them to the same extent and in the same manner as if the purported partner were a partner, with respect to persons who enter into transactions in reliance upon the representation. If all of the partners of the existing partnership consent to the representation, a partnership act or obligation results. If fewer than all of the partners of the existing partnership consent to the representation, the person acting and the partners consenting to the representation are jointly and severally liable.

Based on the foregoing, you are both liable to SHN and you should resolve this debt. There is an attorney fee provision in the contract. It is, therefore, in your best interest to resolve this matter before the debt is increased by attorney fees.

Note that this letter is an attempt to collect a debt and any information received will be used for that purpose.

Cordially,


Andrew J. Stunich

AJS:sv
cc: Mark Chaney

State Water Resources Control Board
 UST Cleanup Fund
 DOCUMENTATION REQUEST

Claim No: 13623

Region: 5

Date: 7/12/11

Claimant: JASWINDER SHERGILL, ASSIGNEE

Reimbursement Request #: 15

Reviewed By: Janice Nishita

For the following invoices, submit the Proof of Payment Affidavit Form within 60 days of the issuance date of the Fund's reimbursement check. For vendors that are unable to complete this form, continue to submit copies of the cancelled check. The Proof of Payment Affidavit Form can be found on the Fund's web site at: http://www.waterboards.ca.gov/water_issues/programs/ustcf/forms.shtml.

NOTE: Future payments will not be processed until proof of payment for these invoices are received.

Check Made Payable To:	Invoice #	Invoice Date	Invoice Amount	Eligible Cost	(comments)
SHN	64689	04/17/08	1,279.04	14.04	
	65329	06/17/08	7,151.48	7,151.48	
	65608	07/21/08	4,247.80	4,247.80	
	65884	08/13/08	10,371.31	10,371.31	
	66192	09/12/08	2,262.70	2,262.70	
	66540	10/17/08	7,697.50	7,697.50	
	66929	11/19/08	4,173.75	4,173.75	
	67415	01/15/09	13,888.49	13,888.49	
	67467	01/19/09	5,465.15	5,465.15	
	67619	01/29/09	4,514.75	<u>4,514.75</u>	
		TOTAL		\$59,786.97	

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CENTRAL VALLEY REGIONAL WATER QUALITY CONTROL BOARD

RECORD OF COMMUNICATION

Phone Call Other (specify) _____
 Meeting

PARTIES		DATE: September 25, 2012
Mark Chaney, SHN	Melissa Buciak, Central Valley Water Board	TIME: 1600
* Party Initiating Communication		

SUBJECT: Status of Payless Gas & Food Mart, 3440 South Market Street, Redding, Shasta County	FILE: Payless Gas & Food Mart, UST Case #450240
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SUMMARY OF COMMUNICATION:

I spoke with the consultant on 25 September 2012 at approximately 1600 to determine the status of remediation at the above referenced site. Mark Chaney/SHN is the PM for this site and indicated that the consultant owes SHN approximately \$80K. They have pursued legal action but the Discharger stopped returning calls, etc. Mark noted that the Fund reimbursed the Discharger however; the Discharger used that money for personal use. Mark also said they have contacted the Fund with this information of potential criminal action but they were not able to provide direction. SHN pulled the remediation system last year. Last correspondence to the Central Valley Water Board was 15 July 2011 Site Status and 2011-2012 Work Plan.

The Discharger is Ms. Jaswinder Shergill, 97minimart@gmail.com 530-262-3359.

CONCLUSIONS, ACTION TAKEN OR REQUIRED:

I followed up with Mark on 26 September 2012 and asked for a copy of the "Stop Work" letter from SHN to the Discharger as well as invoice information (i.e., what Fund claims have been submitted/paid to the Discharger but not paid to SHN). He'll provide this me by 30 September 2012.

REVIEWED BY:	WRITTEN BY: Melissa Buciak
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