

**STATE OF CALIFORNIA  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LOS ANGELES REGION**

**DECEMBER 4, 2003**

**RESOLUTION NO. R03-018**

**CONSIDERATION OF A RESOLUTION AUTHORIZING THE EXECUTIVE OFFICER TO EXECUTE THE PROSPECTIVE PURCHASER AGREEMENT FOR THE GOLDEN WEST REFINING COMPANY AND THE GOLDEN SPRINGS DEVELOPMENT COMPANY, LLC (SOUTH TANK FARM AREA, SANTA FE SPRINGS)**

**(FILE NO. 85-13)**

**WHEREAS, THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD, LOS ANGELES REGION, FINDS:**

1. On May 12, 1997, this Regional Board adopted Resolution No. 97-012 authorizing the Executive Officer to sign a Prospective Purchaser Agreement (PPA) between the Regional Board, Golden West Refining Company (GWRC), a California corporation, and Golden Springs Development Company, LLC (GSDC), a California limited liability company. On April 13, 1998, this Regional Board adopted Resolution No. 98-06 which: 1) Approved the Remedial Work Plan for Zones B, B<sub>1</sub>, B<sub>2</sub>, C and C<sub>1</sub>; 2) Approved the adequacy of the financial assurance provided by Golden West Refining Company, in accordance with Resolution No. 97-012 and the associated Prospective Purchaser Agreement for the West Tank Farm (Site); and 3) Authorized the Executive Officer to execute Amendment No.1 of the PPA which: a) Incorporated Zone B<sub>2</sub> into the Site defined in the PPA; b) Revised language in the PPA to eliminate "Covenant Not to Sue" as to GWRC; and c) Provided for the Executive Officer to issue "No Further Action" letters for each individual zone within the site. On May 18, 1998, this Regional Board adopted Resolution 98-09, which authorized the Executive Officer to execute the prospective purchaser agreement between the Regional Board, Golden West Refining Company, and Golden Springs Development Company, LLC, for Zones A<sub>1</sub> and A<sub>2</sub>. On December 14, 1998, this Regional Board adopted Resolution 98-024, which authorized the Executive Officer to execute the prospective purchaser agreement between the Regional Board, Golden West Refining Company, and Golden Springs Development Company, LLC, for Zones D<sub>1</sub> and D<sub>2</sub>.
2. In September 1999, the Golden West Refinery Company requested an Agreement and Covenant Not to Sue in connection with the proposed development of the Process Unit Area (PUA).
3. In June 2000, the Regional Board adopted Resolution No. R00-012 authorizing the Executive Officer to sign a PPA between the Regional Board, GWRC, and GSDC for development of the Process Unit Area of the former Golden West Refining Company.

4. In September 2003, GWRC submitted a supplemental Site Characterization and Remedial Action Work Plan for the STF prepared by Earth Tech, Inc. ("SCRAWP"). The SCRAWP summarizes soil data collected during remedial investigations and provides a conceptual approach to plan and implement soil remediation at the STF. On February 24, 2000, GWRC submitted a Conceptual Design Report for Groundwater Remediation Systems prepared by England & Associates. On May 3, 2000, the Regional Board staff issued written comments to GWRC which required a proposal, to be submitted as an addendum, to enhance the remediation of the on-site and off-site dissolved phase groundwater contamination plume, in addition to free product recovery. On May 11, 2000, GWRC submitted the addendum, which provides a conceptual approach to enhance recovery of free product, and remediation of the dissolved phase groundwater contamination plume beneath the refinery. On June 5, 2001, GWRC submitted the "Final Design Report (Report), Groundwater Remediation, GWRC" prepared by England Geosystems. October 25, 2001, the Regional Board staff approved the Report. GWRC also included a cost estimate, approximately \$5.4 million, for implementing the conceptual approach.
5. GWRC will submit an "Unanimous Written Consent to Action Without a Meeting of the Board of Directors of Golden West Refining Company, a California Corporation" (Written Consent) showing it has allocated \$2,937,858 to remediate soil contamination and \$2,873,000 to remediate groundwater contamination at the 41-acre South Tank Farm Area. In addition, GWRC has agreed to provide additional funding in the event that soil and groundwater cleanup cost exceeds \$5,810,858.
6. GWRC intends to remove free product and remediate on-site and off-site groundwater contamination in a timely manner in accordance with the requirements of Cleanup and Abatement Order (CAO) No. 93-082 and the Conceptual Design Report, as amended. GWRC will submit a workplan for a comprehensive assessment and remediation of the groundwater in the MNOP Area of the PUA by November 28, 2003. The Regional Board staff will revise the existing CAO with the current information within 120 days from adoption of this Resolution.
7. The proposed agreement is fair, reasonable, and in the public interest.

**THEREFORE BE IT RESOLVED THAT:**

8. This Regional Board hereby authorizes the Executive Officer to execute the enclosed Prospective Purchaser Agreement, by and between the Regional Board, the Golden West Refining Company and the Golden Springs Development Company, LLC.
9. The Executive Officer shall not execute the agreement until such time as he is satisfied that all of the conditions of agreement listed in Recital U of the agreement have been satisfied.
10. A copy of this Resolution will be forwarded to the State Water Resources Control Board.

Golden West Refining Company and the  
Golden Springs Development Company, LLC.  
(South Tank Farm Area)  
Resolution No. R4-2003-R03-018

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11. A copy of this Resolution will be forwarded to the Golden West Refining Company, the Golden Springs Development Company, LLC, and to all interested parties.

#### **CERTIFICATION**

I, Dennis A. Dickerson, Executive Officer, do hereby certify that the foregoing is a full, true and correct copy of a Resolution adopted by the California Regional Water Quality Control Board, Los Angeles Region on December 4, 2003.

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Dennis A. Dickerson  
Executive Officer