
North Coast Regional Water Quality Control Board

November 6, 2013

Mr. Michael Gholami
AM /PM Mini Mart
440 Hearn Avenue
Santa Rosa, CA 95407

Subject: Notice of Violation - Cleanup and Abatement Order No. R1-2013-0018

Files: AM / PM Mini Mart, 440 Hearn Avenue, Santa Rosa; Case No. 1TSR150

Dear Mr. Gholami:

On October 4, 2013, Trans Tech Consultants (TTC) informed Regional Water Board staff that, at your direction, they stopped the required extraction of groundwater at your 440 Hearn Avenue property in Santa Rosa (Site). This letter notifies you that the voluntary cessation of groundwater extraction at this Site on October 4, 2013 violates the requirements of Cleanup and Abatement Order No. R1-2013-0018 (Order). The Executive Officer of the North Coast Regional Water Quality Control Board (Regional Water Board) issued the Order on February 14, 2013, requiring the resumption of groundwater extraction at the Site until water quality objectives are achieved. In a letter dated May 14, 2013, Regional Water Board staff approved the groundwater extraction plan and other recommendations proposed by TTC on your behalf to comply with the Order. Regional Water Board staff identified water quality objectives for the site cleanup in correspondence to you on August 12, 2013.

The Order requires the *Gholami Michael Mohammed & Nahid A Trust* to continue implementation of the corrective action plan until Regional Water Board Executive Officer determines that system operation is no longer required. Groundwater monitoring data submitted for the 3rd quarter of 2013 demonstrate that the specified water quality objectives have not been achieved. Therefore, the cessation of groundwater extraction at the Site is a violation of the Order.

You are hereby notified that as of October 28, 2013, you are twenty-eight days in violation of the Order with respect to directives F. and K. of the subject Order, listed below:

F. Resume operation of the groundwater extraction system by May 15, 2013 and operate it until water quality objectives for the site constituents of concern are achieved in groundwater.

K. Continue implementation of the existing CAP or subsequent revisions of the cleanup plan until Regional Water Board Executive Officer determines and communicates that system operation is no longer required.

In order to achieve compliance with the Order, you must resume groundwater extraction immediately.

Failure to comply with the terms of the Order may subject you to administrative civil liability in amounts up to \$5,000 per day for each individual violation of the Order, pursuant to Water Code section 13350. The Regional Water Board reserves the right to take any enforcement action authorized by law, including referral of the matter to the Office of the Attorney General for enforcement.

Please respond by November 21, 2013 with a report of the status of groundwater extraction and your plans to achieve compliance with the Order. In addition, provide Regional Water Board staff the contact information for your designated consultant(s) for the Site cleanup, and arrange authorization for the consultant(s) to upload data for the Site to the Geotracker database.

If you have any questions, please contact my staff James Tischler by telephone at (707) 576-2469 or by email at James.Tischler@waterboards.ca.gov.

Sincerely,

David F. Leland, P.E.
Acting Assistant Executive Officer

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Certified - Return Receipt Requested

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