

**STATE OF CALIFORNIA  
CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION**

**RESOLUTION NO. R2-2008-0022**

EMERGENCY, ABANDONED, & RECALCITRANT (EAR) UNDERGROUND STORAGE TANK ACCOUNT NOMINATION REQUEST FOR:

- RDX CORP., DBA RICHARD'S AUTOMOTIVE SERVICE, 1495 HAYS STREET, SAN LEANDRO, ALAMEDA COUNTY
  
- PANESAR BEACON, 3740 PERALTA BOULEVARD, FREMONT, ALAMEDA COUNTY

Whereas, Chapter 6.75 of the Health and Safety Code authorizes Regional Water Quality Control Boards (Water Boards) and Local Oversight Programs (LOPs) to take corrective action at petroleum underground storage tank sites where unauthorized releases have occurred; and

Whereas, the State Water Resources Control Board (State Board) has established administrative procedures for providing cleanup funds to Water Boards and LOPs, which include adoption of EAR Account Priority Lists annually every July; and

Whereas, the State Board has requested that the Water Boards ask LOPs to nominate petroleum underground storage tank sites for inclusion on the annual State Board EAR Account Priority List; and

Whereas, the California Regional Water Quality Control Board, San Francisco Bay Region (Board) has identified two sites for nomination to the FY 2008-09 EAR Account Priority List, for the reasons given below:

- a. RDX Corp., dba Richard's Automotive Service, 1495 Hays Street, San Leandro

The City of San Leandro, by letter dated March 13, 2008, has requested that the property located at 1495 Hays Street, San Leandro, be re-nominated for inclusion on the annual Board EAR Account Priority List for Fiscal Year 2008-2009, for additional funding allocation of \$100,000 for corrective action. The State Board accepted this property into the EAR Account Program in April 2007, for a funding allocation of \$100,000 for corrective action.

- b. Panesar Beacon, 3740 Peralta Boulevard, Fremont

The Alameda County Water District (ACWD), by letter dated March 13, 2008, seeks nomination of the property located at 3740 Peralta Boulevard, Fremont, for inclusion on the annual Board EAR Account Priority List for an annual funding

allocation of \$100,000 per year for five years for a total estimate of \$500,000, to investigate soil and groundwater contamination and to conduct remediation of the source areas. Unauthorized releases of gasoline and diesel discovered in 2002 during removal of underground storage tank systems have adversely impacted the soil and possibly groundwater at the property located at 3740 Peralta Boulevard, Fremont. The property is located approximately 1,500 feet from ACWD's groundwater recharge facilities, which provides recharge to the Niles Cone Groundwater Basin. The property owners are recalcitrant and have failed to comply with ACWD regulatory directives to take corrective action to determine the lateral and vertical extent of soil and groundwater contamination.

Whereas, Board staff used LOP submittals and its own recommendations to propose an annual priority nomination list comprising the two properties located at 3740 Peralta Boulevard, Fremont, and 1495 Hays Street, San Leandro.

Therefore, Be It Resolved, the Board requests the State Board to re-nominate the property located 1495 Hays Street, San Leandro, and to nominate the property located at 3740 Peralta Boulevard, Fremont, for the Fiscal Year 2008-2009 Annual EAR Account Priority List; and

Be It Further Resolved, the Executive Officer is directed to forward the Board's Fiscal Year 2008-2009 Annual EAR Account Priority List nomination to the State Board for inclusion of these sites in the Statewide List.

I, Bruce H. Wolfe, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of a resolution adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on April 9, 2008.

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Bruce H. Wolfe  
Executive Officer