

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. R2-2012-0081

AMENDMENT OF SITE CLEANUP REQUIREMENTS (ORDER NO. R2-2006-0065) for:

CONOCOPHILLIPS COMPANY

and

PHILLIPS 66 COMPANY

for the property located at:

1380 SAN PABLO AVENUE

RODEO

CONTRA COSTA COUNTY

The California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter the Regional Water Board), finds that:

1. **Regional Water Board Orders:** The Regional Water Board adopted site cleanup requirements (SCR) on October 11, 2006 (Order No. R2-2006-0065) for the San Francisco Refinery, located at 1380 San Pablo Ave., Rodeo. The Refinery is also covered under Waste Discharge Requirements (Order No. R2-2005-0026), which regulate onsite landfills and surface impoundments, and an NPDES permit (Order No. R2-2011-0027), which regulates discharges of treated industrial process and stormwater.
2. **Reason for Amendment:** The SCR is being amended to reflect a change in name and ownership and to add the new owner as a discharger.
 - a. In May 2012, ConocoPhillips separated its refining and marketing business from its exploration and production business, to create two separate stand-alone companies. Phillips 66 Company is the global refining and marketing company and current owner and operator of the Refinery. This change in ownership requires amendment of all findings in the SCR in which ConocoPhillips alone is named as the owner or operator (findings 2, 3, 4, and 14).
 - b. Phillips 66 Company is named as a discharger because Phillips 66 is the current property owner and operator. ConocoPhillips Company remains named as a discharger because ConocoPhillips Company was the primary discharger responsible for conditions at the site when the SCR was originally adopted. The term "Discharger" in the SCR shall refer to Phillips 66 Company and ConocoPhillips Company. This change applies to Finding 3 in the SCR, which defines the term "Discharger;" and any Finding, Prohibition, Task, Provision, and Attachment (namely the Self-Monitoring Program) that references the Discharger in the SCR.

3. **CEQA:** This action is an amendment of an order to enforce the laws and regulations administered by the Regional Water Board. The amendment does not require additional activities, investigations, or construction and therefore is not a project, as defined in CEQA, and does not have a significant effect on the environment. (Cal. Code Regs., tit. 14 §§ 15378 and 15061, subd. (b) (3).)

4. **Notification:** The Regional Water Board has notified the dischargers and all interested agencies and persons of its intent under California Water Code Section 13304 to amend site cleanup requirements for the discharge and has provided them with an opportunity to submit their written comments.

IT IS HEREBY ORDERED, pursuant to Section 13304 of the California Water Code, that Order No. R2-2006-0065 shall be amended as follows:

- A. The Refinery will be referred to as the Phillips 66, San Francisco Refinery, Rodeo.

- B. The owner and operator will be referred to as Phillips 66 Company.

- C. The Discharger shall be defined as Phillips 66 Company and ConocoPhillips Company.

I, Bruce H. Wolfe, Executive Officer, do hereby certify that the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on October 19, 2012.

 Bruce H. Wolfe
 Executive Officer

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 FAILURE TO COMPLY WITH THE REQUIREMENTS OF THIS ORDER MAY SUBJECT YOU TO ENFORCEMENT ACTION, INCLUDING BUT NOT LIMITED TO: IMPOSITION OF ADMINISTRATIVE CIVIL LIABILITY UNDER WATER CODE SECTIONS 13268 OR 13350, OR REFERRAL TO THE ATTORNEY GENERAL FOR INJUNCTIVE RELIEF OR CIVIL OR CRIMINAL LIABILITY
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