

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION

CLEANUP AND ABATEMENT ORDER NO. 90-048
AGAINST
CIRCLE K CORPORATION, CIRCLE K STORE #1006
Indio, Riverside County

The Executive Officer of the California Water Quality Control Board, Colorado River Basin Region, finds that:

1. Circle K Corporation, (hereinafter referred to as the discharger), with headquarters located at 17781 Cowan Street in Irvine, California, is the owner of the business located at 46-490 Calhoun Street, Indio, California.
2. The Regional Board received an Underground Storage Tank Unauthorized Release Report on March 25, 1986, indicating that an unknown volume of gasoline has leaked from two underground storage tanks at the referenced site, resulting in soil and ground water contamination.
3. Staff of the City of Indio Fire Department informed the Regional Board that the tanks had been replaced within the last six years, and that one of the tanks failed a pressure test and was leaking gasoline at a rate of 2.0 gal/hr.
4. The staff of the Regional Board determined that there was a threat to the quality of the ground water. By letter dated April 19, 1986 the Regional Board requested Circle K Corporation to conduct a complete subsurface investigation of the contamination.
5. On July 9, 1986 the Regional Board received a preliminary technical report prepared by Pioneer Consultants, consultant for Circle K Corporation, indicating that the ground water is contaminated with gasoline.
6. On July 18, 1986 the Regional Board sent a letter to the discharger requesting completion of the subsurface investigation, including a determination of the lateral and vertical extent of the contamination.
7. On October 31, 1986 the Regional Board received the final technical report containing the results of the continued subsurface investigation.
8. The discharger submitted a Report of Waste Discharge dated November 17, 1986 for disposal of contaminated ground water extracted during the ground water cleanup operation.

1/5/99
~~Admin~~
Rescinded

9. On November 21, 1986 the Regional Board received a cleanup proposal, prepared by Groundwater Technology, Inc., for recovery of the free-phase gasoline in the ground water, and extraction of the contaminated ground water. The proposal includes treatment of ground water by air stripping, and activated carbon filtration, and disposal of treated water by either re-injection, or discharge to the Valley Sanitary District sewer system.
10. Valley Sanitary District granted approval for the discharge of the effluent into the sewer system on May 12, 1987.
11. Waste Discharge Requirements were issued for this site by Regional Board Order No. 87-15 on January 21, 1987. Said Order was rescinded by the Regional Board on January 21, 1990.
12. The cleanup system has been in operation since May 20, 1987 and has recovered 20.30 gallons of gasoline to date. The Regional Board considers this system to be ineffective in recovering the contamination.
13. The discharger has caused or permitted the discharge of waste or wastewater into the waters of the State and created a condition of pollution.
14. Contamination of the ground water with gasoline would significantly impair the beneficial uses of the ground water.
15. Section 13304 of the California Water Code states, in part, that:

"Any person...who has caused or permitted...any waste to be discharged or deposited where it is, or probably will be, discharged into the waters of the State and creates, or threatens to create, a condition of pollution or nuisance, shall upon order of the regional board cleanup such waste or abate the effects thereof, or, in the case of threatened pollution or nuisance, take other necessary remedial action."

16. The Water Quality Control Plan for the Colorado River Basin Region identifies the beneficial uses of the Coachella Hydrologic Subunit as:
 - a. Municipal (MUN)
 - b. Industrial (IND)
 - c. Agricultural (AGR)
17. Contamination of the ground water with gasoline would significantly impair the beneficial uses of the ground water.
18. This enforcement action is exempt from the California Environmental Quality Act pursuant to Section 15308 and 15321, Chapter 3, Title 14 of the California Code of Regulations.

IT IS HEREBY ORDERED, that pursuant to Section 13304 of Division 7 of the California Water Code, the discharger shall comply with the following:

1. Cleanup and abate the effects of the discharge of gasoline.

2. During the cleanup operation, submit quarterly monitoring reports as specified in the attached "Monitoring and Reporting Program No. 90-048, and future revisions thereto, as specified by the Regional Board's Executive Officer.
3. You are requested to continue the subsurface investigation to completely delineate the vertical and lateral extent of the contaminant plume.
4. Within two weeks of submittal of the technical report containing the results of the complete subsurface investigation, you must submit a revised cleanup proposal for the remediation of any remaining contamination.

ORDERED BY: Phil Greenberg
Executive Officer
6-27-90
Date

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
COLORADO RIVER BASIN REGION

MONITORING AND REPORTING PROGRAM NO. 90-048
FOR
CIRCLE K CORPORATION, CIRCLE K STORE #1006

Location of Discharge: Indio, Riverside County

MONITORING

The discharger shall report to the Regional Board concerning the following:

1. The influent shall be monitored quarterly for benzene, toluene, xylene, ethylbenzene, and total petroleum hydrocarbons (TPH) as gasoline.
2. The effluent shall be monitored monthly for TPH as gasoline.
3. The volume of gasoline shall be measured during extraction.

REPORTING

1. The above monitoring data shall be submitted quarterly by January 15th, April 15th, July 15th, and October 15th.
2. Submit monitoring reports to:

California Regional Water Quality Board
Colorado River Basin Region
73-271 Highway 111, Suite 21
Palm Desert, CA 92260

ORDERED BY:

Executive Officer

6-27-90

Date