



Linda S. Adams
Secretary for
Environmental Protection

California Regional Water Quality Control Board San Diego Region

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Arnold Schwarzenegger
Governor

February 3, 2010

Certified Mail – Return Receipt Requested
7009 1410 0002 2347 7429

Ms. Judy Misner
P.O. Box 993
Temecula, CA 92593

In reply refer to:
T0606594064:spease

Dear Ms. Misner:

SUBJECT: ADDENDUM NO. 2 TO INVESTIGATIVE ORDER NO. R9-2008-0066

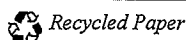
FACILITY: CHEVRON GAS STATION, 27560 JEFFERSON AVE., TEMECULA, CA

Enclosed is Addendum No. 2 to Investigative Order No. R9-2008-0066 issued by the California Regional Water Quality Control Board, San Diego Region (San Diego Water Board) pursuant to California Water Code section 13267. Addendum No. 2 directs you to perform an evaluation of the effectiveness, feasibility, and cost of at least two alternatives to attain the secondary Maximum Contaminant Level water quality objectives in groundwater of 5 ug/L for methyl tertiary butyl ether. This evaluation must be performed for the site at 27560 Jefferson Avenue, Temecula, California, as a result of unauthorized discharges from leaking underground storage tank system.

Any person failing or refusing to furnish information required under the authority of California Water Code section 13267 or falsifying information submitted to the San Diego Water Board pursuant to such a directive is guilty of a misdemeanor and may be subject to civil liability. Under Water Code section 13268, a civil liability may be imposed administratively by the Regional Board in an amount of up to \$1,000 per day of violation (i.e., for each day of delay in submitting all information requested, or for each day that false information remains uncorrected).

The heading portion of this letter includes a San Diego Water Board code number noted after "In reply refer to." In order to assist us in the processing of your correspondence please include this code number in the heading or subject line portion of all correspondence and reports to the San Diego Water Board pertaining to this matter.

California Environmental Protection Agency



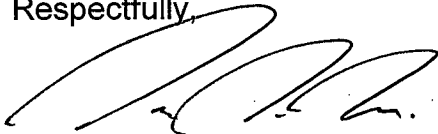
Ms. Misner
Chevron Gas Station
27560 Jefferson Av., Temecula, CA

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February 3, 2010

If you have any questions, please contact Ms. Sue Pease of my staff at (858) 637-5596, or by email at spease@waterboards.ca.gov

Respectfully,



James B. Smith

for MICHAEL P. MCCANN
Assistant Executive Officer
San Diego Regional Water Quality Control Board

MPM:clc:sjp

c:\Chevron Jefferson Ave\Order Addendum 2 cover letter.doc

Enclosure: Addendum No. 2 to Investigative Order No. R9-2008-0066

cc: Ms. Diana Conkle, State Water Resources Control Board, Underground Storage Tank Cleanup Fund, P.O. Box 944212, Sacramento CA 94244-2120

Mr. Robert Manning, RM Environmental, Inc., P.O. Box 575, Calimesa, CA 92320

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION**

**ADDENDUM NO. 2
TO INVESTIGATIVE ORDER NO. R9-2008-0066**

M & J RAMSEY CORPORATION
CHEVRON GAS STATION
27560 JEFFERSON AVENUE
TEMECULA, CA 92590

The California Regional Water Quality Control Board, San Diego Region (hereinafter San Diego Water Board) finds:

1. Directive 5 of Investigative Order No. R9-2008-0066 prescribes requirements for a feasibility study that shall contain an evaluation of alternatives for cleanup of soil and groundwater. The evaluation shall be consistent with the requirements of CCR Title 23, Division 3, Chapter 16, section 2725(f) and include the following elements:

- a. An evaluation of the effectiveness, feasibility, and cost of at least two alternatives to attain the following primary Maximum Contaminant Levels (MCL's) water quality objectives:

<u>Constituents</u>	<u>Maximum Contaminant Level (ug/L)</u>
Benzene	1
Toluene	150
Ethylbenzene	300
Total Xylenes	1,750
Methyl Tertiary Butyl Ether	13

- b. An evaluation of methods to control the spread of the dissolved contaminant plume off the property.
 - c. A comprehensive description of the cleanup and abatement activities associated with each recommended alternative.
 - d. A proposed time schedule, including interim milestone dates, for completion of each recommended alternative.
2. In the California Department of Public Health's *California Regulations Related to Drinking Water*, dated August 13, 2009, section 64449 of Article 16, Title 22, California Code of Regulation, states that the secondary Maximum Contaminant Level (MCL) for methyl tertiary butyl ether (MTBE) shall not be exceeded in the water supplied to the public by community water systems.
 3. This site is located in the Rancho California Municipal Water District, with three drinking water wells located within one mile of this site. Due to the proximity of this site to the community water system, the secondary MCL of 5 ug/L for MTBE is appropriate to use for the feasibility study in Directive 5 instead of the primary MCL.

3. This action is being taken for the protection of the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) (Public Resources Code section 21000 et seq.) in accordance with section 15308, Chapter 3, Title 14 of the California Code of Regulations. The issuance of this Order is also an action taken by a regulatory agency and is exempt from the provisions of CEQA pursuant to section 15321(a)(2), Chapter 3, Title 14 of the California Code of Regulations. This action is also exempt from the provisions of CEQA in accordance with section 15061(b)(3) of Chapter 3, Title 14 of the California Code of Regulations because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

IT IS HEREBY ORDERED, pursuant to section 13267 of the California Water Code:

Directive 5 is replaced with the following:

5. **Corrective Action Plan:** Pursuant to the requirements of CCR Title 23, Division 3, Chapter 16, Article 5, section 2655 and Article 11, section 2722(b), the dischargers shall submit a Corrective Action Plan (CAP) to the Regional Board. The CAP must contain all the elements specified in Article 11, section 2725 including:
 - a. Assessment of Impacts in accordance with Article 11, section 2725 (e),
 - b. Feasibility Study to evaluate site remediation and mitigation alternatives in accordance with Article 11, section 2725 (f),
 - c. Cleanup Levels in accordance with the requirements of Article 11, section 2725(g) and which comply with the requirements listed in Article 11, section 2721(b), SWRCB Resolution No. 92-49, and Finding 21 of this Order,
 - d. Proposed Method (s) and schedule for the monitoring and reporting of progress of remediation at the site. These results should be used by the dischargers to evaluate the effectiveness of the approved corrective action alternative implemented by the dischargers to remediate the soil and groundwater contamination from the unauthorized release at the site. The results and the technical evaluation must be reported to the San Diego Water Board Executive Officer for review and comment.

The feasibility study described in **Directive No.4.a.ii** of this Order shall contain an evaluation of alternatives for cleanup of soil and groundwater. The evaluation shall be consistent with the requirements of CCR Title 23, Division 3, Chapter 16, section 2725(f) and include the following elements:

February 3, 2010

- a. An evaluation of the effectiveness, feasibility, and cost of at least two alternatives to attain the following primary Maximum Contaminant Levels water quality objectives:

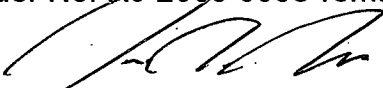
<u>Constituents</u>	<u>Maximum Contaminant Level (ug/L)</u>
Benzene	1
Toluene	150
Ethylbenzene	300
Total Xylenes	1,750

An evaluation of the effectiveness, feasibility, and cost of at least two alternatives to attain the following secondary Maximum Contaminant Level water quality objective:

<u>Constituent</u>	<u>Maximum Contaminant Level (ug/L)</u>
Methyl Tertiary Butyl Ether	5

- b. An evaluation of methods to control the spread of the dissolved contaminant plume off the property.
- c. A comprehensive description of the cleanup and abatement activities associated with each recommended alternative.
- d. A proposed time schedule, including interim milestone dates, for completion of each recommended alternative.

All other directives issued in Investigative Order No. R9-2008-0066 remain unchanged and in effect.


for James B. Smith
MICHAEL P. MCCANN
Assistant Executive Officer

Date issued: February 3, 2010