

REGIONAL WATER QUALITY CONTROL BOARD  
SAN FRANCISCO BAY REGION

ORDER NO. R2-2004-0006

AMENDMENT OF FINAL SITE CLEANUP REQUIREMENTS (ORDER NO. 01-066) FOR

**NAPA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT  
CHEVRON PRODUCTS COMPANY  
BAY CITIES OIL MARKETERS, INC.  
DILLINGHAM CONSTRUCTION N.A., INC.  
TEXACO, INC.  
PHILLIPS PETROLEUM COMPANY  
EXXONMOBIL OIL CORPORATION  
EXXON MOBIL CORPORATION  
ATLANTIC RICHFIELD COMPANY**

For properties located at:

**301 RIVER STREET, NAPA, CALIFORNIA  
477 OIL COMPANY ROAD, NAPA, CALIFORNIA  
901 EIGHTH STREET, NAPA CALIFORNIA  
903 EIGHTH STREET, NAPA, CALIFORNIA  
415 OIL COMPANY ROAD, NAPA, CALIFORNIA  
385 OIL COMPANY ROAD, NAPA, CALIFORNIA  
100 OIL COMPANY ROAD, NAPA, CALIFORNIA**

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

- 1. Regional Board Orders:** The Board adopted site cleanup requirements for 415 Oil Company Road, 385 Oil Company Road and 100 Oil Company Road on June 19, 2001 (Order No. 01-066). The Executive Officer approved amendments to that order on March 17, 2002 (Order No. R2-2002-0033) and December 20, 2002 (Order No. R2-2002-0128) to revise compliance dates for various tasks.
- 2. Reason for amendment:** Order No. 01-066 provides that, if additional information is submitted indicating that any other party(ies) caused or permitted any waste to be discharged on any of the Pollutant Release Sites, as that term is defined in Order No. 01-066, or those other properties set forth in Table 2 of Order No. 01-066, where the waste entered or threatened to enter waters of the State, the Board will consider adding those parties to the Order. The Board anticipated that such information might come to light as a result of construction and remedial action activities within the Consolidated Remedial Action Area, as that term is defined in Order No. 01-066. The properties identified in Table 2 of Order No. 01-066 have been known to be or suspected of being impacted with petroleum hydrocarbons or other contaminants. When Order No. 01-066 was adopted, some of the pollutant impacts were thought to be from offsite, while in

other cases, the significance of the discharges affecting these properties was unclear. Since sufficient information did not exist to conclude that environmentally significant discharges of waste occurred on these properties, they were not subject to Order No. 01-066. However, because new information has become available that indicates significant pollution discharges to soil/groundwater have occurred at these properties, it is necessary to add those entities responsible for discharges on these properties to Order No. 01-066. The new information, from flood control project excavation activities that took place during 2002, indicates that contamination is more substantial than previously thought and is attributed to historic bulk fuel activities. Further rationale for naming additional dischargers is contained in the attached Staff Report, which is incorporated herein by this reference.

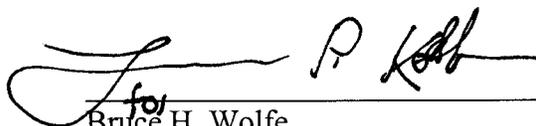
3. **CEQA:** This action is an amendment of an order to enforce the laws and regulations administered by the Board. As such, this action is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15321 of the Resources Agency Guidelines.
4. **Notification:** The 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 discharges, and has provided them with an opportunity to submit their written comments.
5. **Public Hearing:** The Board, at a public meeting, heard and considered all comments pertaining to this Order.

**IT IS HEREBY ORDERED**, pursuant to Section 13304 of the California Water Code, that Order No. 01-066 (as amended by Orders No. R2-2002-0033 and R2-2002-0128) shall be amended as follows:

- A. ExxonMobil Oil Corporation is named as a Discharger because it is the corporate successor to Mobil Oil Corporation ("Mobil") and Mercury Oil Company, the past owners and operators of the property and facilities formerly located at 415 Oil Company Road, where substantial evidence indicates that Mobil discharged pollutants to soil and groundwater.
- B. Exxon Mobil Corporation is named as a Discharger because it is the corporate successor to Exxon Company, U.S.A. ("Exxon"), the past owner and operator of the property and facilities formerly located at 385 Oil Company Road, where substantial evidence indicates that Exxon discharged pollutants to soil and groundwater.
- C. Atlantic Richfield Company is named as a Discharger because it is a past owner and operator of the property and facility formerly located at 100 Oil Company Road where substantial evidence indicates that it discharged pollutants to soil and groundwater.

By adding these parties as dischargers they become subject to the obligations and tasks of Order No. 01-066.

I, Bruce H. Wolfe, Executive Officer, do hereby certify that the foregoing is a full, complete and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on February 18, 2004.

  
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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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Attachment: Staff Report dated February 5, 2004