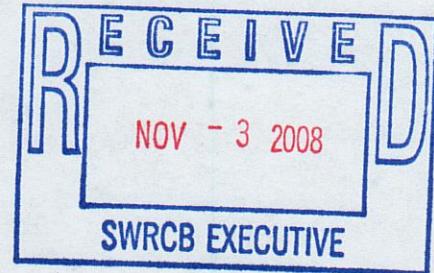


November 3, 2008

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**Comments to P06-230
December 2, 2008, Board Meeting**

These comments are being submitted by Saied Molavi and the Dolores Hansen Trust (Molavi Group) in response to the Draft Order dated October 10, 2008 (Draft Order) in the Matter of the Petition of Ultramar, Inc. For Review of Sonoma County's Notice of Revision to Responsible Party Designation (Petition). The Draft Order and Petition are identified as SWRCB/OCC File P06-230.

The Molavi Group believes that the Draft Order as it now stands should not be adopted by the State Water Resources Control Board because the conclusion that the Petition should be granted is based on several factual and interpretative errors, and because the Draft Order is not specific in apportioning responsibility for future site clean up. In the Comments summary section below we have summarized five points that we wish the State Water Resources Control Board (SWRCB) to consider before evaluating whether to finalize the Draft Order as it now stands. Each of the five points is then explained separately in greater detail in the sections that follow the summary. Background documents that support the points made in the explanations are presented in Appendices attached to this comment letter.

Comments Summary

Comment 1. The Draft Order contends that there are two lines of evidence for establishing that a second (post-1991) release (of MTBE vapors) has occurred at the site. The first line of evidence involves underground storage tank (UST) system testing results for two separate tank tests. The first UST system test was completed on the UST system's secondary containment system on October 8, 2002, and produced a failing test result indicating that the secondary containment system was not air tight. At no time during the original secondary containments system testing or follow up primary containment system testing was there any indication that the primary containment system, which actually holds the fuel product, had leaked or failed a tank test. Yet the Draft Order makes the false claim that the "product lines from the USTs to the dispensers failed". Given that the product lines are part of the

Ms. Jeanine Townsend

November 2, 2008

Page 2

primary containment system, we find it incredible that such an inaccuracy would be contained in the Draft Order, particularly after we had previously supplied the SWRCB with abundant documentation of the testing procedures, repairs to the secondary containment system and an explanation of the difference between a primary and secondary containment test failure. All of these issues are discussed in more detail in the Explanation section of this document.

The Molavi Group also previously provided information that called in to question the validity of the December 2004 Enhanced Leak Detection (ELD) test, which the Draft Order references as the second UST system test that shows that a hydrocarbon release occurred during the Molavi Group's ownership of the site. The points that bring the 2004 ELD test results in to question include the fact that the testing was a new requirement and as such the testing methodology had not been fully vetted; the fact that the methodology for testing was substantially changed between the 2004 ELD test and a follow up ELD test in 2006 that the UST system passed; the fact that no significant repairs were made to the UST system during the time between the two ELD tests; and some discrepancies in the testing result reports that indicate that there are plausible explanations for the UST system failing the first ELD test other than a significant leak in the UST system. The detailed explanation of these points is presented following this summary section.

Comment 2. The Draft Order's contention that monitoring data supports a conclusion that a second hydrocarbon release consisting of MTBE vapors (in addition to the documented and long standing Ultramar release) has occurred at the site is based on a false assumption regarding the persistence of MTBE in a degrading groundwater contamination plume. On Page 8 Paragraph 1, the Draft Order states that "Because MTBE tends to diminish from a source area more readily than BTEX, a transitory and spatial increase in MTBE concentrations, while BTEX concentrations are decreasing, indicates an addition of MTBE mass to groundwater ." The scientific literature widely acknowledges a point that directly contradicts the Draft Order assumption regarding the tendency of MTBE to diminish from a source area more readily than benzene, toluene, ethylbenzene and xylenes (BTEX). There are numerous scientific studies that have found that MTBE is more recalcitrant to biological breakdown when compared to other gasoline constituents such as BTEX. This causes MTBE to persist in groundwater longer than BTEX, rather than diminish as the Draft Order contends. The scientific literature is corroborated by groundwater monitoring data for the leaking tank site directly across the street from the Ultramar site, which shows that MTBE has persisted in groundwater long after BTEX compounds have degraded. In other words, the basis for the Draft Order's contention that groundwater monitoring results support a second release scenario at the Ultramar site is directly contradicted by both scientific studies and by 10 years of monitoring data at another leaking tank site, with similar subsurface conditions, that is located within 150 feet of the Ultramar site.

Comment 3. The Draft Order contains several inferences and conclusions that are said to be based on the groundwater monitoring data for the Ultramar site, but that are not consistent with the actual monitoring record. These errors in presentation and/or misinterpretations of the monitoring data cast a substantial shadow of doubt on the validity of the Draft Order's conclusion that the monitoring data is consistent with a post-Ultramar release of MTBE

Ms. Jeanine Townsend

November 2, 2008

Page 3

vapors that impacted groundwater at the site. The monitoring record is discussed in detail in the explanation section of this document.

Comment 4. Analysis of the groundwater monitoring data before and after the dates when the Draft Order states that a MTBE vapor release must have occurred does not indicate an impact to groundwater that would require investigation or clean up in addition to the work required to clean up the initial unauthorized release for which Ultramar is responsible. It should be noted that in the seventeen years since the underground tanks were replaced and Ultramar sold the service station to the Molavi Group, the sum total of clean up work performed by Ultramar was the intermittent operation of a Soil Vapor Extraction (SVE) remediation system over a period of approximately 2 years. The system was installed in 1994 and shut down in 1996.

According to the Sonoma County Department of Health Services – Environmental Health Division (SCDHS-EHD) letter to Ultramar dated August 14, 2006, (copy included in previously submitted comments) “The system had little if any apparent effect on groundwater contamination. The effectiveness of remediation on soil contamination is unknown because the extent of the on-site soil plume has not been adequately defined.” The SCDHS-EHD is the lead regulatory agency for the site clean up. Their letter indicates that 15 years after Ultramar assumed responsibility for site clean up very little effective remediation had been performed and the initial Ultramar release had not even been properly characterized and investigated. Since 1996 Ultramar has not done any work to clean up the contamination for which it is responsible, or any work to mitigate the migration of the contamination. They also never implemented the original Corrective Action Plan prepared for the site by their consultant in 1994. At this point, designating the Molavi Group as an equal primary responsible party with Ultramar rewards Ultramar for delaying for 12 long years the clean up they were supposedly obligated to perform. What kind of message does this send with regards to the state’s seriousness in compelling responsible parties to live up to their responsibilities?

Comment 5. The Draft Order does not address the issue of how much the MTBE vapor release that it postulates occurred during the Molavi ownership of the site added to the already existing, well documented contamination plume that resulted from the Ultramar release and which was never cleaned up. This would leave the issue of who is responsible for what portion of future corrective action work unresolved and makes it likely that more money in the future will be spent on legal fees trying to address this question than will be spent on site clean up. This is not beneficial to any of the parties involved. A revised Draft Order that is more specific and detailed would likely save all parties (including the State) significant time and money. It also could save the Molavi Group from a bureaucratic nightmare that could easily put them out of business for no good reason. This point is explained in more detail in the explanation section of this letter.

Based on the points which we have summarized here, and which are explained in more detail below, the Molavi Group requests that the SWRCB not adopt the Draft Order which is now before it. At a minimum we request that the Draft Order be evaluated by the Board itself or

Ms. Jeanine Townsend
November 2, 2008
Page 4

additional representatives of the Board to address the multiple deficiencies which we have discussed. Thank you for your consideration.

Further Explanation of Point 1

On Page 9, the Draft Order states that “results from the UST system testing and information accompanying those results also indicate that a release occurred from the existing USTs at the site.” This statement is not substantiated by any of the tank testing completed for the site. The USTs have never been shown to leak since the Molavis have owned the property and a thorough reading and understanding of the tank testing results documents this fact.

The UST system testing that the Draft Order references consists of two testing events, one in 2002 and one in 2004. The first event was testing completed on October 8, 2002, to the secondary containment system for the tanks, product lines and dispensers (Draft Order: “On October 8, 2002 the secondary containment was tested by Tanknology. The USTs passed but the product lines from the USTs to the dispensers failed and the under-dispenser containment failed the test.”). The Draft Order does not acknowledge or discuss extensive documentation previously submitted by the Molavi Group explaining that for a release to occur both the primary and secondary systems must fail, and at no point in the October 2002 secondary system testing or the required follow up testing of the primary containment system was there any evidence that the primary containment system failed. If the primary system does not fail then there is no product in the secondary containment system to leak and a secondary containment test failure does not indicate a hydrocarbon release.

The full documentation of the testing, which was supplied in the Molavi Group’s previous comments provided to the SWRCB, documents that there was no component of the October 8, 2002 secondary containment test, the November 14, 2002 product line testing or the January 2003 repairs which showed any evidence that a release of hydrocarbons had occurred at the site. This is the reason that no unauthorized release form was ever filed based on the testing results and the Sonoma County Department of Environmental Health – Environmental Health Division (SCDHS-EHD) determined that there was no evidence of a hydrocarbon release.

The Draft Order presents a false impression of the test results because of inaccuracies, contradictions and omission of relevant facts in the record. The Draft Order contradicts itself by first stating that “the secondary containment was tested” and then saying “the product lines from the USTs to the dispensers failed”. The second statement regarding the product lines is simply not true and directly contradicts the first statement. The product lines themselves never failed a leak test. The product lines are the primary containment system which actually carries fuel, and they were not tested on October 8, 2002 and did not fail any test. As the Draft Order states, approximately one month later (November 14, 2002) the product lines themselves were pressure tested to insure that no product was leaking. The product lines passed this test, reinforcing the point that there was no product in the

Ms. Jeanine Townsend

November 2, 2008

Page 5

secondary containment system to leak. It's hard to understand how the Draft Order can misrepresent the product line testing.

The Draft Order further states that, "The record indicates that there were repairs made to the under-dispenser containment in January of 2003. On March 19, 2003, the under-dispenser containment and the product lines were tested again and they both passed." The Draft Order does not acknowledge that the Molavi Group supplied extensive documentation of exactly what repair was made in January 2003 along with a statement from the repair contractor stating that "we found no evidence of petroleum product releases at any of the points of repair", and that no repairs were required or made to the primary containment system. In contrast to the full documentation of the testing procedures that the Molavi Group provided to support its position that no hydrocarbon release had occurred. The Draft Order misrepresents the testing procedures and contradicts itself within the space of two sentences.

The Draft Order also does not acknowledge or refute the information provided by the Molavi Group which calls in to question the validity of the first Enhanced Leak Detection (ELD) test which was completed in December 2004. The requirement for ELD testing was issued in 2003 and affected service stations had to complete the testing before January 1, 2005. The Molavi service station was among a group of four stations in the Sonoma vicinity that were the first to conduct ELD tests in that area. According to Mr. Molavi's follow up conversations with the other site owners or operators, all four of the stations failed their first ELD test. All four stations also passed their second tests without making any significant repairs to their tank systems. According to Mr. Molavi's conversations with the other owners/operators none of the other 4 stations were cited for having caused a new, unauthorized release of hydrocarbons based on the initial test results, with the exception of the Draft Order in this case. None of these points are acknowledged in the Draft Order and there is no indication that there was any follow up completed in the Draft Order preparation to evaluate the question of the validity of the original testing which the Molavi Group raised in earlier comments submitted to the SWRCB. The Molavi Group has also had extensive conversations with companies certified to perform the ELD testing and was told that the methodology that was used in the original 2004 test is no longer used because of problems with the methodology.

The follow up ELD test was performed at the site in January 2006 using the new methodology that is now generally practiced which includes a "pre-test". The pre-test is designed to find and repair any leaks in the exposed portions of the containment system before running the final ELD test. This avoids the scenario where a test failure is caused by a minor component of the containment system having a small or insignificant leak. This is important because the test is very expensive and operators can not afford to do multiple ELD tests to chase down an inconsequential leak in a non product bearing part of the tank system.

With regards to the January 2006 follow up ELD test the Draft Order states "The USTs passed, but the testing summary states that [d]etected leaks were repaired by contractor and re-tested tight before the end of the testing event.". The repairs that the Draft Order refers

Ms. Jeanine Townsend

November 2, 2008

Page 6

to were the minor repairs made as part of the pre-test and before the final ELD test was completed. The log that was completed by the testing contractor is reproduced in Appendix A (Leak Log, Job # 38713EL) and has the following notes that document the 'repairs':

2a) Used soap and water found no visible signs of bubbles to indicate a leak. Wrapped vapor recover line with shrink wrap.

2b) Wrapped flex hose with shrink wrap found no visible leaks with soap and water.

2c) During inoculation the lids to the tank interstitial were exposed. With the wind direction we believe there was some contamination into the tank, as well as the soil around the fill riser we resample the interstitial, and vp no increase in rate

The Test Summary that the Draft Order quotes, by not including reference to the actual repairs made, can lead to the mistaken impression that substantial repairs had to be made to the USTs before they could pass the second ELD test. This amounts to a mischaracterization of the results through omission of pertinent points that are available in the record. It is not fair to the Molavi Group to present only that portion of the testing record that could be misinterpreted. Given that the SWRCB is interested in providing a fair and accurate consideration of this issue we request that the Draft Order be amended to fully present and evaluate the second ELD testing results.

The Draft Order should also be amended to correct the following false statement that is made, "The premium UST was not re-tested". The record shows that the premium UST was re-tested during the January 2006 ELD testing and passed the test with no pre-test repairs required (Appendix A). The omissions and inaccuracies contained in the Draft Order lead us to question whether the results of the ELD testing were fully understood and evaluated when the Draft Order was prepared.

The full repair record for the 2006 ELD test also may be helpful in answering the question of how the tank system could have failed the 2004 ELD test and passed the 2006 ELD test with no repairs having been made to the system between the two dates except for the very minor pre-test repairs documented in the contractors leak log. Since the two test results don't agree, one has to question which test gave a false result.

With regards to the 2004 ELD test the Draft Order states, "This test showed that the primary and secondary containment systems for two of the three USTs (regular and premium gasoline) were faulty. Eleven of the 14 vapor samples collected at depths ranging from 4.9 to 10.9 feet bgs from the backfill around the USTs reported concentrations of the tracer gas. On March 28, 2005, the product lines were tested and they passed." This statement gives the impression that the actual USTs themselves must have failed, to allow tracer gas to enter the soil. But if the USTs had failed then tracer gas would have been found in the annular space between the UST wall and the wall of the secondary containment unit. This was not the case. The same tank testing details that the Draft Order cites with regards to the vapor samples show that none of the three tracer gases used for the three different tanks tested were detected in the annular space samples collected (Appendix A).

So if the USTs didn't fail how did the tracer gas get in to the soil? You will note that description 2c of the 2006 pre-test Leak Log (Appendix A) states, "During inoculation the lids to the tank interstitial were exposed. With the wind direction we believe there was some contamination into the tank as well as the soil around the fill riser" This comment documents the ELD tank testing personnel stating that they believe they may have inadvertently contaminated the soil in the test area with the tracer gas being used for testing. There is certainly a possibility that similar cases of inadvertent contamination of soils with the test gas could have occurred during the initial 2004 ELD test inoculation, resulting in the detection of the tracer sample in the soil vapor samples that were collected later. It seems that such errors would have been even more likely in 2004, given that the testing procedures were relatively new and not as refined as in 2006. Also, in 2004 the soil vapor samples were not collected until a full 10 days after the tank system had been inoculated with the tracer gas. This would give ample time for any tracer gas that was inadvertently discharged to soils ample time to disperse. Current ELD testing protocol generally has samples collected and analyzed the day after inoculation of the tank system with tracer gas, using an on-site mobile laboratory for the analyses.

Although the Draft Order considers the results of the 2004 ELD testing as positive proof that a MTBE vapor release must have occurred at the site the groundwater monitoring results do not show any significant increase of MTBE concentrations in groundwater during the period between the December 2004 ELD test and the minor repairs made as past of the January 2006 ELD test. No other repairs to the system were made during that time except for a mandated replacement of the spill buckets (which had passed in the 2004 ELD test). The lack of documented impacts to groundwater leaves one with the question that even if the MTBE vapor release that the Draft Order postulates occurred (and we don't think there is any convincing evidence that it did) why should the Molavi Group be made a primary responsible party if the supposed release did not materially affect the already existing groundwater contamination problem?

Further Explanation of Point 2

The original Ultramar appeal and the SWRCB draft findings use an assumption that directly contradicts the scientific literature to argue that a second release of MTBE has occurred at the site. This is the assertion that MTBE "tends to diminish from a source area more readily than BTEX". Here's what the science has to say:

"In water, BTEX compounds undergo biological transformations; however, most studies have indicated that MTBE does not biodegrade easily under various environmental conditions. If a research investigation determines that a compound does not degrade, a half-life is not reported and the compound is simply classified as recalcitrant. MTBE is generally reported as recalcitrant and there are no widely accepted estimates of the half-life." (From: *USGS Environmental Behavior and Fate of Methyl tert-Butyl Ether (MTBE)*, Fact sheet FS-203-96 (Revised 2/98).

Ms. Jeanine Townsend

November 2, 2008

Page 8

“Attenuation by anaerobic biodegradation is important for BTEX compounds because of the relative abundance of anaerobic electron acceptors as compared with dissolved oxygen. Field studies indicate that MTBE is also biodegradable in shallow aquifers, but at a slower rate relative to BTEX compounds.” And “Although the presence of MTBE may compromise the use of natural attenuation at some sites due to the greater mobility and persistence of MTBE compared to BTEX, some data indicate that MTBE plumes do eventually stabilize.” (From the abstract for the article: *Review of Natural Attenuation of BTEX and MTBE in Groundwater*, Practical Periodical of Hazardous Toxic and Radioactive Waste Management, Vol. 6, Issue 3, pp. 156 to 172 – July 2002).

This point was made on pages 7 and 8 of the October 3, 2006 Petition Response prepared by Black Point Environmental, Inc. (BPE) on behalf of the Molavi Group as follows:

Trinity's basis for claiming that there has been a post-1991 hydrocarbon release at the site also relies heavily on the assumption that TPH as gasoline and benzene concentrations decreasing more rapidly than reported MTBE concentrations would not be expected, except if additional hydrocarbon releases had occurred. However, a slower reduction in MTBE concentrations is precisely what would be expected to occur in a naturally degrading plume of gasoline contamination that contained MTBE as one of its constituents. On page 164 of the 1999 publication *Natural Attenuation of Fuels and Chlorinated Solvents in the Subsurface*¹ the authors make the point that oxygenates such as MTBE “appear to be the most biologically recalcitrant of common contaminants”, and “are much less amenable to biodegradation than are the lighter fractions of petroleum hydrocarbons”. This slower biological breakdown characteristic of MTBE is widely acknowledged in petroleum hydrocarbon remediation literature. The result of this characteristic of MTBE is that MTBE contamination degrades more slowly than many other gasoline constituents, such as benzene, and MTBE contamination is often present after TPH as gasoline and BTEX compounds have significantly decreased, or even degraded to non-detectable levels.

The service station on the opposite side of Sonoma Highway from the Ultramar No. 12705 station is a classic example. After the USTs at the site were replaced in 1997, groundwater monitoring in the 3 on-site monitoring wells near the former UST excavation between 1999 and 2002 reported MTBE concentrations ranging from 1,130 µg/l to 8,180 µg/l, with no detectable benzene or other BTEX compounds reported to occur. Although TPH as gasoline was reported at concentrations approximately equal to the MTBE concentrations, these results have been footnoted with the disclaimer that “reported TPH as gasoline concentration noted to consist entirely of MTBE”.

This discussion indicates that data which Trinity would have us believe is evidence of a post-1991 hydrocarbon release at the site is in fact just the opposite. The data is actually consistent with a slowly degrading contamination plume that originated from a pre-1991 hydrocarbon release that contained MTBE.

Ms. Jeanine Townsend

November 2, 2008

Page 9

The Draft Order does not discuss or acknowledge this point that was made in the Molavi Group's October 3, 2006 submittal, and does not acknowledge or refute the literature that indicates that MTBE would be expected to persist at a leaking tank site longer than BTEX compounds. Instead it assumes that MTBE should dissipate and/or degrade long before BTEX, just the opposite of what scientific study has found and what the groundwater monitoring data for the site directly across the street from the Ultramar site corroborates

Further Explanation of Point 3

In discussing how the groundwater monitoring data leads to a conclusion of a post 1991 hydrocarbon release the Draft Order makes several factually inaccurate or misleading statements. If the facts supporting the Draft Order's conclusions are wrong we suggest that the Draft Order should therefore not be adopted and the data should be reevaluated. Several misstatements are presented and discussed below. Charts showing concentrations of TPH as gasoline and MTBE in groundwater in key wells using data presented in Ultramar's Fourth Quarter 2006 Groundwater Monitoring Report are referenced in the text and are presented in Appendix B).

The Draft Order states "Concentrations of MTBE in groundwater samples from wells MW-1, MW-2, MW-3 and MW-4, which are located 10 to 50 feet from the USTs, show two periods where concentrations of MTBE increased, peaked and then declined: February 1997 through November 1998 and May 2000 through May 2005."

Previous comments submitted by Black Point Environmental, Inc. (BPE) on behalf of the Molavi Group and dated July 5, 2007 outlined in detail how remediation performed at the site from 1994 to 1996 had the effect of temporarily reducing total petroleum hydrocarbons (TPH) as gasoline concentrations (including BTEX). This can be clearly seen on the chart for TPH as gasoline concentrations in well MW-3 (Appendix B) where a record low concentration of TPH as gasoline is recorded for the March 1996 sampling, which occurred during active remediation. This is followed by a trend of increasing TPH as gasoline concentrations which reach a peak in February 1998. This type of rebound in concentrations is frequently found after remediation systems are shut down. Reviewing the chart for MTBE concentrations in well MW-3 shows that the MTBE increases starting in late 1996 (when the system was shut down) and reaches a peak in February 1998, at the same time as the TPH as gasoline concentrations. This data directly contradicts the Draft Order which implies that MTBE concentrations in well MW-3 increase during the period of February 1997 through November 1998 while other gasoline constituent concentrations are decreasing. In fact both are decreasing due to a rebound effect. The Draft Order discounts the rebound effect by saying "Rebound is a phenomenon that is typically complete within a few months of a remediation system shut down. Increasing concentrations in groundwater several years after the cessation of the remediation system cannot reasonably be attributed to rebound." Yet even though the first increase in MTBE concentrations that the Draft Order cites occurred within a reasonable time frame for rebound effects to occur (approximately 15 months after remediation ended), the Draft Order sees the increase in MTBE concentrations as evidence of a new release rather than considering the well documented and reasonable explanation of a post-remediation rebound.

BPE's previous comments also pointed out that it is commonly recognized that fluctuations in groundwater levels will lead to fluctuations in hydrocarbon concentrations. This can occur for many reasons and often leads to higher concentrations during high groundwater conditions when water makes contact with contaminated soil that is usually above the water table. This was pointed out to explain that temporary increases in hydrocarbon concentrations are not unusual in the monitoring record for sites and generally do not indicate that a new release of hydrocarbons has occurred, as Ultramar's Petition would have one believe. In groundwater monitoring data the signature of seasonal fluctuations in concentrations of hydrocarbons related to changing groundwater levels is a "saw tooth" type of pattern which shows repeated episodes of concentrations going up and down over a period of years. In contrast, the signature of a new leak or release scenario is generally monitoring data where hydrocarbon concentrations steadily increase for several monitoring events until the leak is recognized and stopped, at which point the concentrations should plateau or slightly decrease.

The sawtooth pattern that is associated with seasonal fluctuations is very evident in the monitoring data charts showing the TPH as gasoline and MTBE concentrations for wells MW-1, MW-3 and MW-4, the wells which the Draft Order cites as providing evidence for a new release. The only places in the charts where something resembling a steadily increasing curve is found, are the MTBE charts for wells MW-1 and MW-3 during the period from 1999 to 2001. But the reason we don't see a seasonal "saw tooth pattern" during these years is because the sampling interval was changed. Instead of the typical 4 sampling events per year that monitor seasonal changes, there were only 2 sampling events in 1999 and 2000, and one sampling event in 2001. So the change in pattern is an artifact of the change in the sampling frequency and does not correspond with any documented hydrocarbon release.

In looking at the MTBE concentration charts for wells MW-1 and MW-2 the high point in concentrations for both wells occur in a single monitoring event (February 1998 and May 2002 respectively) where concentrations spike way up from one monitoring event to the next, and then drop down in the following monitoring event. To someone who is not familiar with groundwater monitoring data this might appear to be the signature of a tank leak release. But for that to be the case the tank would have had to have had a sudden and substantial leak that heavily impacted groundwater, and then the leak would have had to be repaired almost immediately to allow the reported concentration to decline sharply by the time of the next monitoring event. There is no point in the history of the tank operations at the site that fits this scenario. If you look at the period from December 2004 to January 2006, when the Draft Order contends that there is tank testing evidence for a release to have occurred, there is no evidence of steadily increasing MTBE concentrations and there is no major MTBE spike associated with that period.

The Draft Order also presents a spike in MTBE concentration in well MW-2 as evidence of a pulse of contamination that shows up as "an MTBE release that is first detected at wells MW-1 and MW-3 and then sequentially at wells in relation to their distance and groundwater flow direction from the USTs." The reported MTBE concentrations for well MW-2 went from 15 ug/l in November 1997 to 4,900 ug/l in February 1998 and then back down to 110

Ms. Jeanine Townsend

November 2, 2008

Page 11

ug/l in May 1998. With MW-2 being located in a somewhat down gradient direction from the tank area, and farther away from the tanks than wells MW-1 and MW-3, that may sound like a reasonable explanation for the February 1998 MTBE spike. But if you look at the data for wells MW-1 and MW-3 prior to the February 1998 MTBE spike in well MW-2, neither well had a MTBE spike at a concentration close to 4,900 ug/l before the spike in well MW-2. The MTBE concentration for well MW-3 in February 1998 reached a peak of 3,400 ug/l and a spike in MTBE (3,400 ug/l) was also reported for the May 1998 sample from well MW-4. But this data contradicts the Draft Order's scenario of a pulsed release that shows up sequentially in wells as you move away from the tank area, in that the highest concentration was reported in the well furthest away from the tanks and at the same time or before the peaks seen in the wells closer to the tanks.

A more reasonable and plausible explanation for the short term spikes or peaks in MTBE concentrations like those found in wells MW-2 and MW-3 in February 1998, and well MW-4 in May 1998 is a substantial increase in water levels that puts groundwater in contact with residual MTBE contamination in soil which has been above the water table and out of contact with groundwater for an extended period of time. This would cause a short term spike of hydrocarbon contamination to occur in groundwater, with MTBE levels rising more than other gas constituents because of its higher solubility in water. The high concentration would then dissipate when groundwater declined to point below the bulk of the shallow residual soil contamination, as we see in the monitoring record. But the Draft Order completely discounts the role of groundwater fluctuations in producing spikes in MTBE concentrations when it states: "The record shows that long-term (i.e. four or more quarters) concentration trends of MTBE in groundwater samples from wells MW-1 and MW-3 increase and decrease independently of groundwater fluctuations, suggesting an ongoing release."

To be honest, we're not sure exactly what the Draft Order is trying to say there. Rather than relying on, and citing, specific data in the monitoring record to support the conclusion that concentrations increase and decrease independently of groundwater fluctuations, the Draft Order resorts to a grand and nebulous statement about long term, year-to-year trends in MTBE concentrations versus water levels. This is absolutely not supported by the monitoring record because there is insufficient data on water levels in the record to do that kind of analysis. We are left to wonder how the Draft Order came to its knowledge of long term groundwater fluctuations, given that the monitoring record generally only provides one to five groundwater level measurements per year. To have even a rudimentary understanding of comparative trends in groundwater levels from year to year, so that you can then compare those trends to MTBE concentrations, it would seem prudent to have at least semi-monthly, if not weekly measurements of groundwater levels. Absent that detailed information, which certainly does not exist in the monitoring record, a review and discussion of overall rainfall trends in the Sonoma Valley area during the monitoring period would at least put the data in some kind of general context with regards to water levels. But instead the Draft Order again makes proclamations with absolutely no supporting data.

To make up for this deficiency we accessed a record on monthly precipitation totals for Sonoma, California, that the Western Regional Climate Center of NOAA has posted on the

Ms. Jeanine Townsend

November 2, 2008

Page 12

internet. The NOAA records document the period from 1893 to 2008, and we have reproduced the page that covers 1968 to 2008 in Appendix C. When this rainfall data is compared to the sampling dates for the MTBE spikes discussed above, the data certainly appears to substantiate the idea that these spikes are related to extreme groundwater fluctuations caused by unusually heavy rainfall. The record shows that the February and May 1998 concentration spikes in wells MW-2, MW-3 and MW-4 coincide with or closely follow an unusually wet January and February when 30.9 inches of rain was recorded in just those two months. The 18.89 inches of rain recorded for February 1998 was the highest total rainfall for any February on record, going back to 1893. But the Draft Order claims that MTBE concentrations increase and decrease independently of groundwater fluctuations.

Point after point made in the Draft Order that purports to show the groundwater monitoring data supports the conclusion that a post-1991 release of MTBE has impacted groundwater, proves not to be a supporting argument when the actual monitoring record is carefully reviewed and analyzed. Again we ask that the Draft Order be rejected, or at the least be amended to correct the discrepancies that have been pointed out.

Further Explanation of Point 4

As was outlined in the summary section of this document no effort has been made by Ultramar to clean up the residual hydrocarbon contamination at the site since the SVE system installed in September 1994 was shut down in 1996. According to a workplan that Ultramar's consultant (Trinity) prepared for the site "The system operated intermittently, with shutdowns due to high water levels and/or low influent concentrations. The system was shut down in November 1996 due to modification of the electrical outlet by the local electrical power provider. Overhead electrical lines in the area were converted to underground electrical lines at that time." There is no indication why SVE could not be reinitiated after the electrical changes or why no other method of remediation has been initiated in the 12 years since the remediation system was shut down.

The Trinity document further states in another section that "In 1993, dual-phase extraction testing was performed by AEI (Aegis Environmental, Inc.) using a stinger lowered sequentially into wells MW-1, MW-3 and MW-4." Further, the document states that in 1994 a Corrective Action Plan detailing the recommendation for dual-phase extraction from Wells MW-1, MW-3 and MW-4 was issued by AEI. There is no indication as to why no other method of remediation other than SVE has been used at the site. This is particularly puzzling given that Ultramar's consultant, AEI, tested a different remediation method (dual-phase extraction) and prepared a Corrective Action Plan for implementing this remediation in 1994. Why 14 years later has dual-phase extraction never been used to clean up the site? We would also like to point out that the groundwater monitoring results for the service station across the street from the Ultramar site provide an example of how effective DPE remediation can be under similar site conditions. Contamination levels at that site declined substantially following a DPE remediation event that lasted less than 10 days. Why has a strategy of a decade of no action and petitioning the SWRCB to name another responsible party been pursued instead of the effective remediation method recommended by Ultramar's consultant in 1994?

Further Explanation of Point 5

As we have outlined in these comments, the Molavi Group believes that the decision reached in the Draft Order, which is to accept the Ultramar Petition, is based on faulty data interpretation and a lack of acknowledgement of some of the key issues pertaining to whether a post-1991 hydrocarbon release has occurred. Putting those issues aside, we also do not believe that the Draft Order should be accepted by the SWRCB as it now stands because it is deficient in not addressing an apportionment of responsibility for future clean up between the first (Ultramar) and second (Molavi Group) primary Responsible Parties (RPs) that the Draft Order would establish. We believe that such an apportionment, with an explanation of the rationale for the apportionment, would be highly beneficial to all parties given that the Draft Order as it now stands does not provide any explanation of the SWRCB's thinking in this regard, and therefore provides no guidance to the local oversight agency for how to direct the RPs in future cleanup activities and no guidance for the Underground Storage Tank (UST) Cleanup Fund with respect to eligibility for clean up cost reimbursement. Specific apportionment is extremely important for a small business like Mr. Molavi's because they do not have the funds to mount a legal battle with a major oil company regarding the degree of each party's responsibility if that company continues to be recalcitrant in living up to its obligations for site clean up, a course they have been following for over a decade.

With respect to the UST Cleanup Fund (Cleanup Fund) the issue of apportionment is also extremely important for the Molavi Group as they should be eligible for claimant status with the Cleanup Fund in the case of an unauthorized release during their property ownership, given their compliance with all regulations governing their UST operations. However, when they initially inquired about establishing a Cleanup Fund claim, should they be made a primary RP by virtue of a SWRCB Order, they were rejected by the Cleanup Fund. It is our understanding that the Fund bases their actions with regard to accepting a second claim on a leaking tank site on the definition of a separate "Occurrence" at a site as contained in California Health and Safety Code Section 25299.19. The Code reads as follows: "Occurrence" means an accident, including continuous or repeated exposure to conditions, which results in an unauthorized release of petroleum from an underground storage tank. Unauthorized releases at the same site which require only a single site investigation shall be considered as one occurrence, an unauthorized release subsequent to a previous unauthorized release at the same site shall only be considered a separate occurrence if an initial site investigation has been completed for the prior unauthorized release.

The Molavi Group could face a scenario where the State of California, through the SWRCB decision on one hand designates the Molavi Group as responsible for cleaning up the Ultramar site because of a supposed MTBE vapor release, but on the other hand denies them the funding for site cleanup to which they should be entitled, because the Cleanup Fund does not believe they are a significant contributor to the contamination at the site such that a separate "Occurrence" is documented. To avoid this potential nightmare, if the Draft Order names the Molavi Group as a primary responsible party it must also be amended to provide guidance on what portion of the remaining contamination is their responsibility.

Ms. Jeanine Townsend

November 2, 2008

Page 14

We know the SWRCB is not interested in putting hard working Californians such as the Molavi Group out of business because of technicalities in the law such as the one we are discussing here. We therefore respectfully request that the Draft Order as it now stands before the SWRCB be rejected, or if not rejected at least modified to address the concerns we have outlined in these comments. We thank you for your time and patience in fully considering all of the points that we have raised.

Sincerely,

Saied Molavi and the Dolores Hansen Trust

Attachments:

Appendix A: Documents Related to Tank Testing

Appendix B: Charts Presenting Groundwater Monitoring Results

Appendix C: Monthly Precipitation, Sonoma California

Ms. Jeanine Townsend
November 2, 2008

Appendix A

Documents Related to Tank Testing

Sonoma County Department of Emergency Services inspection form October 8, 2002

• This is submitted as evidence that Sonoma County had access to this information based on this inspection report, indicating that a Sonoma County Inspector was present for the October 8th, 2002 SB 989 test.



COUNTY OF SONOMA
DEPARTMENT OF EMERGENCY SERVICES
FIRE SERVICES • EMERGENCY MANAGEMENT • HAZARDOUS MATERIALS

VERNON A. LOSH II, DIRECTOR

SONOMA COUNTY CUPA INSPECTION REPORT
Notice to Comply

HazWaste Generator Hazardous Materials UGT ABST UFC RMPP

BUSINESS NAME: (Ultra-mer) Cal Food & Fuel PHONE: 996-5004
ADDRESS: 18618 Sonoma Hwy CITY: Sonoma

CONDITIONS DISCUSSED WITH: Saled Molavi
PERMIT NUMBER: 37 DATE: 10-8-02

CODE	DESCRIPTION	DATE CORRECTED
	SB 989 testing	
	Mike Werly - Tank Laboratory	
	3 UST all passed	
	3 pressurized pipelines all FAILED	
	3 Sumps (piping) Systems Failed	
	Res at Midgrade passed	
	Dispenser 1 - not present	
	" 3 - "	
	" 5 - "	
①	Apply for repair permit by 11-8-02. Repair hoses, sumps, and any other failures (disposes if failed) by 1-30-03.	

Inspector: [Signature] Date: 10-8-02
Received by: [Signature] Date: 10-8-02

Submit information to this office confirming actions taken to correct violations within thirty (30) days of this notice.

TANKNOLOGY-OCTOBER 8, 2002

SB-489 SECONDARY CONTAINMENT SUMMARY RESULTS

TEST DATE: 10/08/2002
 CLIENT: ALPHA PETROLEUM
 P.O. BOX 447
 21208 CA 95420
 72M STORNETTA
 707-678-8100

WORK ORDER NO: 2224041
 SITE: CALIFORNIA FOOD & FIBER
 18818 SOMONA RDY
 SOMONA CA 95476

U-Turn

Tank Interstitial Tests		TANK RESULTS
PRODUCT	MANUFACTURER	
SPARDE	TRABCO	PASS
TRABCO	TRABCO	PASS
TRABCO	TRABCO	PASS

Piping Interstitial Tests		LINE RESULTS
PRODUCT	MANUFACTURER	
SHLCO	SHLCO	FAIL
SHLCO	SHLCO	FAIL
SHLCO	SHLCO	FAIL

Sump & Under-Dispenser Containment Tests					
Sump/Disp #	PF	MANUFACTURER	Sump/Disp #	PF	MANUFACTURER
STP	FAIL				
PLDS	PASS				
REG	PASS				
1/2	FAIL				
3/4	FAIL				
5/6	FAIL				

Tankology representative: MARK SHAW
 Services conducted by: MICHAEL WORLEY

- SECONDARY CONTAINMENT TESTING REQUIRED UNDER REG SB989

- SECONDARY CONTAINMENT ON UST'S PASSED ON ALL THREE PRODUCTS

- SECONDARY PIPING FAILED ON ALL THREE PRODUCTS

- ONE PRODUCT SUMP(SUPER) AND ALL SECONDARY UNDER DISPENSER CONTAINMENT FAILED

SONOMA COUNTY DEPARTMENT OF EMERGENCY SERVICES- OCTOBER 23RD, 2002



COUNTY OF SONOMA
DEPARTMENT OF EMERGENCY SERVICES
FIRE SERVICES • EMERGENCY MANAGEMENT • HAZARDOUS MATERIALS

VERNON A. LOSH II, DIRECTOR

SONOMA COUNTY CUPA INSPECTION REPORT Notice to Comply

HazWaste Generator Hazardous Materials UGT ABST UFC RMPP

BUSINESS NAME: Ultramar - Cal Food & Fuel PHONE: _____

ADDRESS: 18 618 San Hwy CITY: Sonoma

CONDITIONS DISCUSSED WITH: Said Malavi

PERMIT NUMBER: 37 DATE: 10-23-02

CODE	DESCRIPTION	DATE CORRECTED
	Witnessed monitoring system inspection.	
	3 sumps - all passed	
	3 annular space sensors - all passed	
	Dispenser 1 - floats present	
	" 3 - " "	
	" 5 - " "	
①	Submit pipeline (primary) and test detector test results by 12-31-02.	
②	Submit the SB 989 test results	

Inspector: [Signature] Date: 10-23-02
Received by: [Signature] Date: 10/21/02

Submit information to this office confirming actions taken to correct violations
in thirty (30) days of this notice.

SONOMA Co. INSPECTOR
WITNESSED LEAK DETECTION
MONITORING SYSTEM
INSPECTION INDICATING
THAT ALL LEAK DETECTION
MONITORING SYSTEMS WERE
WORKING. INCLUDING ALL
THE AREAS THAT FAILED THE
SECONDARY CONTAINMENT
TEST ON OCTOBER 8TH,
2002.

Monitoring Certification

October 23rd, 2002

#2

MONITORING SYSTEM CERTIFICATION

For Use By All Jurisdictions Within the State of California
 Authority Cited: Chapter 6.7, Health and Safety Code; Chapter 16, Division 3, Title 23, California Code of Regulations

This form must be used to document testing and servicing of monitoring equipment. A separate certification or report must be prepared for each monitoring system control panel by the technician who performs the work. A copy of this form must be provided to the air system owner/operator. The owner/operator must submit a copy of this form to the local agency regulating UST systems within 30 days of test date.

A. General Information

Facility Name: California Food & Fuel Bldg. No.: _____
 Site Address: 18618 Arroyo Hwy City: Arroyo Zip: _____
 Facility Contact: Person: _____ Contact Phone No.: (____) _____
 Make/Model of Monitoring System: TLS 250 Date of Testing/Servicing: 10 23 02

B. Inventory of Equipment Tested/Certified

Check the appropriate boxes to indicate specific equipment inspected/serviced:

Tank ID	Model	In-Tank Gauging Probe	Annular Space or Vault Sensor	Piping Pump / Trench Sensor(s)	Fill Sump Sensor(s)	Mechanical Line Leak Detector	Electronic Line Leak Detector	Tank Overfill / High-Level Sensor	Other (specify equipment type and model in Section E on Page 2)
#114	VR	<input checked="" type="checkbox"/>							
#115	VR	<input checked="" type="checkbox"/>							
#116	VR	<input checked="" type="checkbox"/>							
#117	VR	<input checked="" type="checkbox"/>							
#118	VR	<input checked="" type="checkbox"/>							
#119	VR	<input checked="" type="checkbox"/>							
#120	VR	<input checked="" type="checkbox"/>							
#121	VR	<input checked="" type="checkbox"/>							
#122	VR	<input checked="" type="checkbox"/>							
#123	VR	<input checked="" type="checkbox"/>							
#124	VR	<input checked="" type="checkbox"/>							
#125	VR	<input checked="" type="checkbox"/>							
#126	VR	<input checked="" type="checkbox"/>							
#127	VR	<input checked="" type="checkbox"/>							
#128	VR	<input checked="" type="checkbox"/>							
#129	VR	<input checked="" type="checkbox"/>							
#130	VR	<input checked="" type="checkbox"/>							
#131	VR	<input checked="" type="checkbox"/>							
#132	VR	<input checked="" type="checkbox"/>							
#133	VR	<input checked="" type="checkbox"/>							
#134	VR	<input checked="" type="checkbox"/>							
#135	VR	<input checked="" type="checkbox"/>							
#136	VR	<input checked="" type="checkbox"/>							
#137	VR	<input checked="" type="checkbox"/>							
#138	VR	<input checked="" type="checkbox"/>							
#139	VR	<input checked="" type="checkbox"/>							
#140	VR	<input checked="" type="checkbox"/>							
#141	VR	<input checked="" type="checkbox"/>							
#142	VR	<input checked="" type="checkbox"/>							
#143	VR	<input checked="" type="checkbox"/>							
#144	VR	<input checked="" type="checkbox"/>							
#145	VR	<input checked="" type="checkbox"/>							
#146	VR	<input checked="" type="checkbox"/>							
#147	VR	<input checked="" type="checkbox"/>							
#148	VR	<input checked="" type="checkbox"/>							
#149	VR	<input checked="" type="checkbox"/>							
#150	VR	<input checked="" type="checkbox"/>							
#151	VR	<input checked="" type="checkbox"/>							
#152	VR	<input checked="" type="checkbox"/>							
#153	VR	<input checked="" type="checkbox"/>							
#154	VR	<input checked="" type="checkbox"/>							
#155	VR	<input checked="" type="checkbox"/>							
#156	VR	<input checked="" type="checkbox"/>							
#157	VR	<input checked="" type="checkbox"/>							
#158	VR	<input checked="" type="checkbox"/>							
#159	VR	<input checked="" type="checkbox"/>							
#160	VR	<input checked="" type="checkbox"/>							
#161	VR	<input checked="" type="checkbox"/>							
#162	VR	<input checked="" type="checkbox"/>							
#163	VR	<input checked="" type="checkbox"/>							
#164	VR	<input checked="" type="checkbox"/>							
#165	VR	<input checked="" type="checkbox"/>							
#166	VR	<input checked="" type="checkbox"/>							
#167	VR	<input checked="" type="checkbox"/>							
#168	VR	<input checked="" type="checkbox"/>							
#169	VR	<input checked="" type="checkbox"/>							
#170	VR	<input checked="" type="checkbox"/>							
#171	VR	<input checked="" type="checkbox"/>							
#172	VR	<input checked="" type="checkbox"/>							
#173	VR	<input checked="" type="checkbox"/>							
#174	VR	<input checked="" type="checkbox"/>							
#175	VR	<input checked="" type="checkbox"/>							
#176	VR	<input checked="" type="checkbox"/>							
#177	VR	<input checked="" type="checkbox"/>							
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#193	VR	<input checked="" type="checkbox"/>							
#194	VR	<input checked="" type="checkbox"/>							
#195	VR	<input checked="" type="checkbox"/>							
#196	VR	<input checked="" type="checkbox"/>							
#197	VR	<input checked="" type="checkbox"/>							
#198	VR	<input checked="" type="checkbox"/>							
#199	VR	<input checked="" type="checkbox"/>							
#200	VR	<input checked="" type="checkbox"/>							

C. Certification - I certify that the equipment identified in this document was inspected/serviced in accordance with the manufacturer's guidelines. Attached to this Certification is information (e.g. manufacturer's checklist) necessary to verify that this information is correct and a Plot Plan showing the layout of monitoring equipment. For any equipment capable of generating such reports, I have attached a copy of the report. (check all that apply): Alarm history report System set-up

Technician Name (print): DAVE WILLIAMS Signature: [Signature]
 License No.: 558069063
 Testing Company Name: Alpha Detection Phone No.: (714) 678-8100
 Site Address: 18618 Arroyo Hwy Arroyo Date of Testing/Servicing: 10 23 02
 Certification No.: _____
 Page 1 of 3

Monitoring System Certification

D. Results of Testing/Servicing

Software Version Installed: _____

Complete the following checklist:

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No*	Is the audible alarm operational?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No*	Is the visual alarm operational?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No*	Were all sensors visually inspected, functionally tested, and confirmed operational?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No*	Were all sensors installed at lowest point of secondary containment and positioned so that other equipment will not interfere with their proper operation?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No*	If alarms are relayed to a remote monitoring station, is all communications equipment (e.g. backup power) operational?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No*	For pressurized piping systems, does the turbine automatically shut down if the piping secondary containment monitoring system detects a leak, fails to operate, or is electrically disconnected? If yes, which sensors are positive shut-down? (Check all that apply) <input type="checkbox"/> Sump/Trench Sensors; <input type="checkbox"/> Dispenser Containment Sensors
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	Did you confirm positive shut-down due to leaks and sensor failure/disconnection? <input type="checkbox"/> Yes; <input checked="" type="checkbox"/> No
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	For tank systems that utilize the monitoring system as the primary tank overflow warning device (mechanical overflow prevention valve is installed), is the overflow warning alarm visible and audible at the fill point(s) and operating properly? If so, at what percent of tank capacity does the alarm trigger?
<input type="checkbox"/> Yes*	<input checked="" type="checkbox"/> No	Was any monitoring equipment replaced? If yes, identify specific sensors, probes, or other equipment in Section E, and list the manufacturer name and model for all replacement parts in Section E, below.
<input type="checkbox"/> Yes*	<input checked="" type="checkbox"/> No	Was liquid found inside any secondary containment systems designed as dry systems? (Check all that apply) <input type="checkbox"/> Product; <input type="checkbox"/> Water. If yes, describe causes in Section E, below.
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No*	Was monitoring system set-up reviewed to ensure proper settings? Attach set up reports, if applicable.
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No*	Is all monitoring equipment operational per manufacturer's specifications?

* In Section E below, describe how and when these deficiencies were or will be corrected.

E. Comments:

Monitoring System Certification

F. In-Tank Gauging / SIR Equipment:

- Check this box if tank gauging is used only for dry systems.
- Check this box if no tank gauging or SIR equipment is installed.

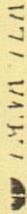
This section must be completed if in-tank gauging equipment is used to perform leak detection monitoring.

Complete the following checklist:

TANK-TEK- NOVEMBER 14, 2002

•TEST PRODUCT LINES AND LEAK DETECTORS OF THE UST SYSTEM TO INSURE THAT BECAUSE OF THE OCTOBER 8, 2002 SECONDARY CONTAINMENT FAILURE THAT THOSE COMPONENTS OF THE PRIMARY CONTAINMENT WERE TIGHT.

•ALL PASSED-NO REPAIRS REQUIRED



Location: CALIFORNIA FOOD & FUEL
18618 SONOMA HWY
SONOMA, CA 95476

Facility # #2
BILL TO: CALIFORNIA FOOD & FUEL
Contact: SAIED MOLAVI

Work Order
02111401-1

Date
NOV 14/02

SONOMA COUNTY
DEPARTMENT OF EMERGENCY SERVICES

Annual Inspection Retest
Post Construction For Sale Inspection

Tank Test — Alert 1000

Tank	Tank Capacity Gallons	Product Grade	Product Level Inches %	Pressure Tank Bottom PSI	Test Time Start End	Final Leak Rate G/H Pass/Fail
1		REGULAR				
2		SUPER				
3		PLUS				
4						
5						

Tank	Ullage (Alert 1050X) Time Start End	Ullage Pressure PSI Beg End	Ullage Results Pass/Fail
1			
2			
3			
4			
5			

TANK TEST RESULTS	TANK	PASS/FAIL
1		
2		
3		
4		
5		

Product Line — Acurite

Line	Type	Steel Fiberglass	Test Pressure PSI	Test Time Start End	Readings G/H	Final Leak Rate G/H Pass/Fail
1	X	FG	50	7:00 AM 7:30 AM	.0015 .0075	.0000 PASS
2	X	FG	50	7:35 AM 8:05 AM	.0075 .0000	.0000 PASS
3	X	FG	50	8:10 AM 8:40 AM	.0075 .0075	.0000 PASS
4						
5						

Leak Detector — Red Jacket FTA

LD	Model	Serial Number	Leak Rate Calibration	Pass Fail
1	XLP	7578	3 G/H	PASS
2	FXI	3504	3 G/H	PASS
3	XLP	7580	3 G/H	PASS
	STP MLD	02040386	3 G/H	PASS

Monitor Wells

Well	Well Depth	Water Depth	Hydrocarbon (Inches)
1			YES NO
2			YES NO
3			YES NO
4			YES NO
5			YES NO

Purchase Order	Contract #	Time of test	Technician	Signature	License
		7:00 AM	PHIL ROOMS		CA 422 NY UTE 1083 OR 17132

TANK-TEK ENVIRONMENTAL CORPORATION

WHITEMAN PETROLEUM

JANUARY 2003

REPAIRS MADE TO THE SECONDARY CONTAINMENT:

- Under dispenser teleflex secondary containment boot and clamps
- Dispenser pans lake tested for leaks

SECONDARY CONTAINMENT REPAIR PERMIT

COUNTY OF SONOMA DEPARTMENT OF EMERGENCY SERVICES
 2300 COUNTY CENTER DRIVE, SUITE 231A, SANTA ROSA, CA 95403
 707/546-1183 PHONE 707/546-1172 FAX

APPLICATION FOR PERMIT TO:

- Pressure loss detector test
 Clearance
 New/Replacement
 Task pending integrity test
 Renewal/Extension
 Repair/Modify (leak detection, product lines, etc)

PERMITS 37
 paid check 2119
 \$293.00

THIS PERMIT MUST BE SIGNED BY THE PRIMARY CONTRACTOR

FACILITY NAME ULTRAMAR-CALFOODLEVEL PHONE _____
 ADDRESS 18618 SONOMA VALLEY CITY/ZIP SONOMA 95416
 ASSESSOR'S PARCEL # _____ FIRE DISTRICT SONOMA
 OWNER NAME SALED INDIAVI PHONE 707-996-5004
 ADDRESS SAVED CITY/STATE/ZIP _____
 OPERATOR NAME SAVED PHONE _____
 ADDRESS SAVED CITY/STATE/ZIP _____
 PRIMARY CONTRACTOR NAME WILHELMIAN PESTICIDES PHONE 157-832-1507
 LICENSE TYPE & # A-1112 DATE 10/10/03 WORKERS COMP POLICY # 167121-02
 ADDRESS 140 ELSBERG CIRCLE CITY/STATE/ZIP WOODBURY CA 94997
 SUBCONTRACTOR NAME N/A PHONE _____
 LICENSE TYPE & # _____ DATE _____ WORKERS COMP POLICY # _____
 ADDRESS _____ CITY/STATE/ZIP _____

TERMS OF PERMIT

APPLICANT AGREES THAT:

- Dept. of Emergency Services Fire Inspector will be notified a minimum of 48 hours prior to commencing work.
- Dept. of Emergency Services Fire Inspector inspection will be obtained 48 hours prior to commencing work (where applicable).
- Any deviation from approved plan/permit without prior approval of the Director of Emergency Services will be cause for stopping work until the changes are fully justified and approved.
- This permit is subject to revocation if found to be in nonconformance with Sonoma County Code or standards of the Dept. of Emergency Services
- I, the undersigned applicant, hereby authorize _____ to release any and all analytical results, geotechnical data and site assessment information to the County of Sonoma Dept. of Emergency Services as soon as it is available and is provided to me or my representative.
- Primary contractor shall subcontract only as provided by the requirements of the Business & Professions Code and those requirements of the Contractor's Licensing Board.
- Additional items _____

It is understood that the issuance of a permit in no way indicates that a guarantee of perfect and indefinite operation is made by the County of Sonoma, Dept. of Emergency Services. I hereby acknowledge that I have read this notification and agree that the above is correct and agree to comply with all County ordinances and State laws regarding underground storage tanks. This permit shall expire by limitation if work authorized is not commenced within 305 days.

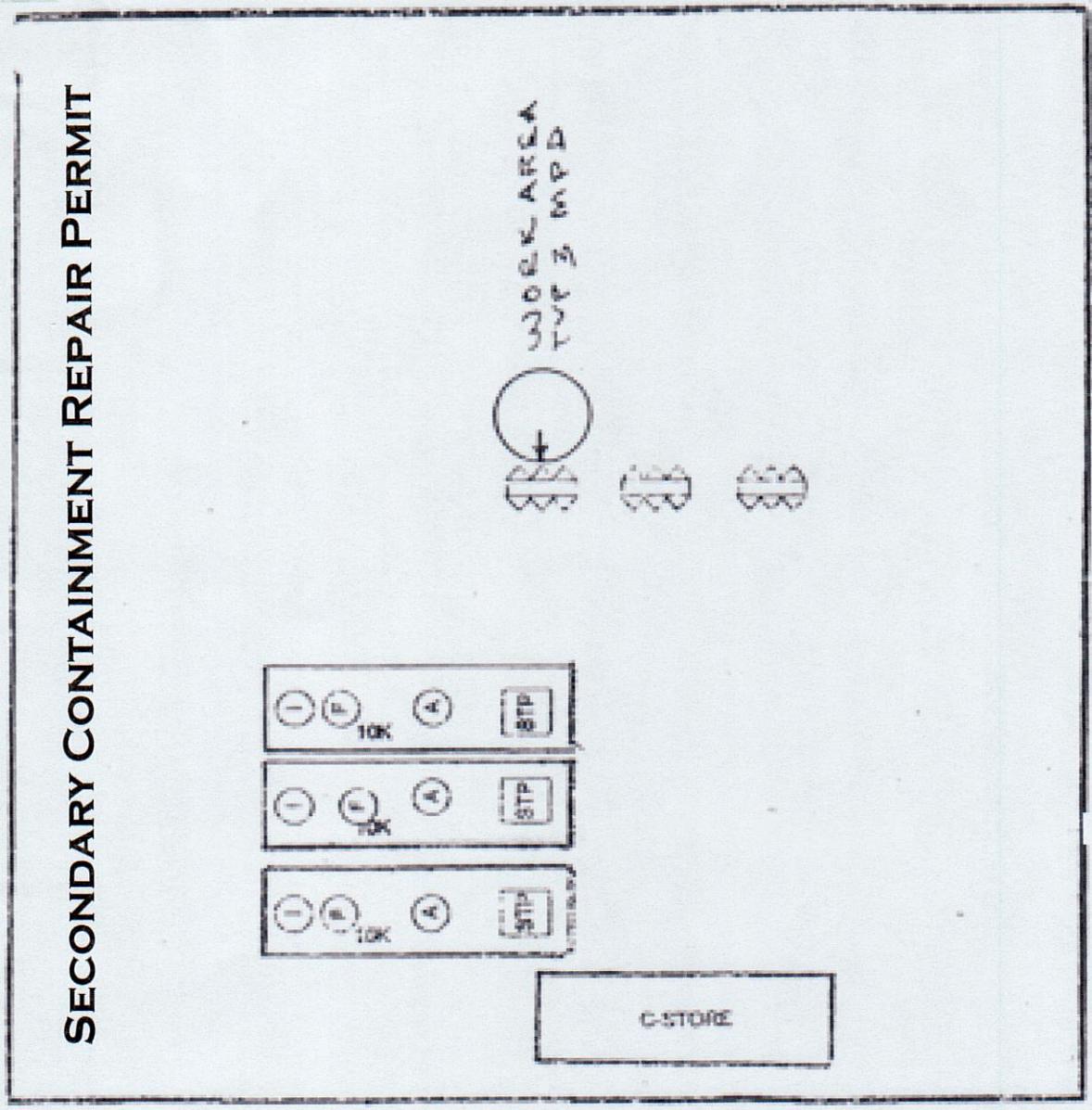
Signature of Primary Contractor _____ Date 12/12/02
 PLAN APPROVED BY: [Signature] DATE 1-14-03
 CONSTRUCTION APPROVED BY: _____ DATE _____

NOT TRANSFERABLE WHEN APPROVED, THIS IS YOUR PERMIT SEE REVERSE SIDE

SCOPE:

- BREAK OUT CONCRETE AT FRONT OF EACH MFD DISPENSER.
- REPLACE FLEX HOSE TEST BOOTS ON EACH PRODUCT LINE. (TYP 900)
- RETEST DOUBLE WALL PIPING.

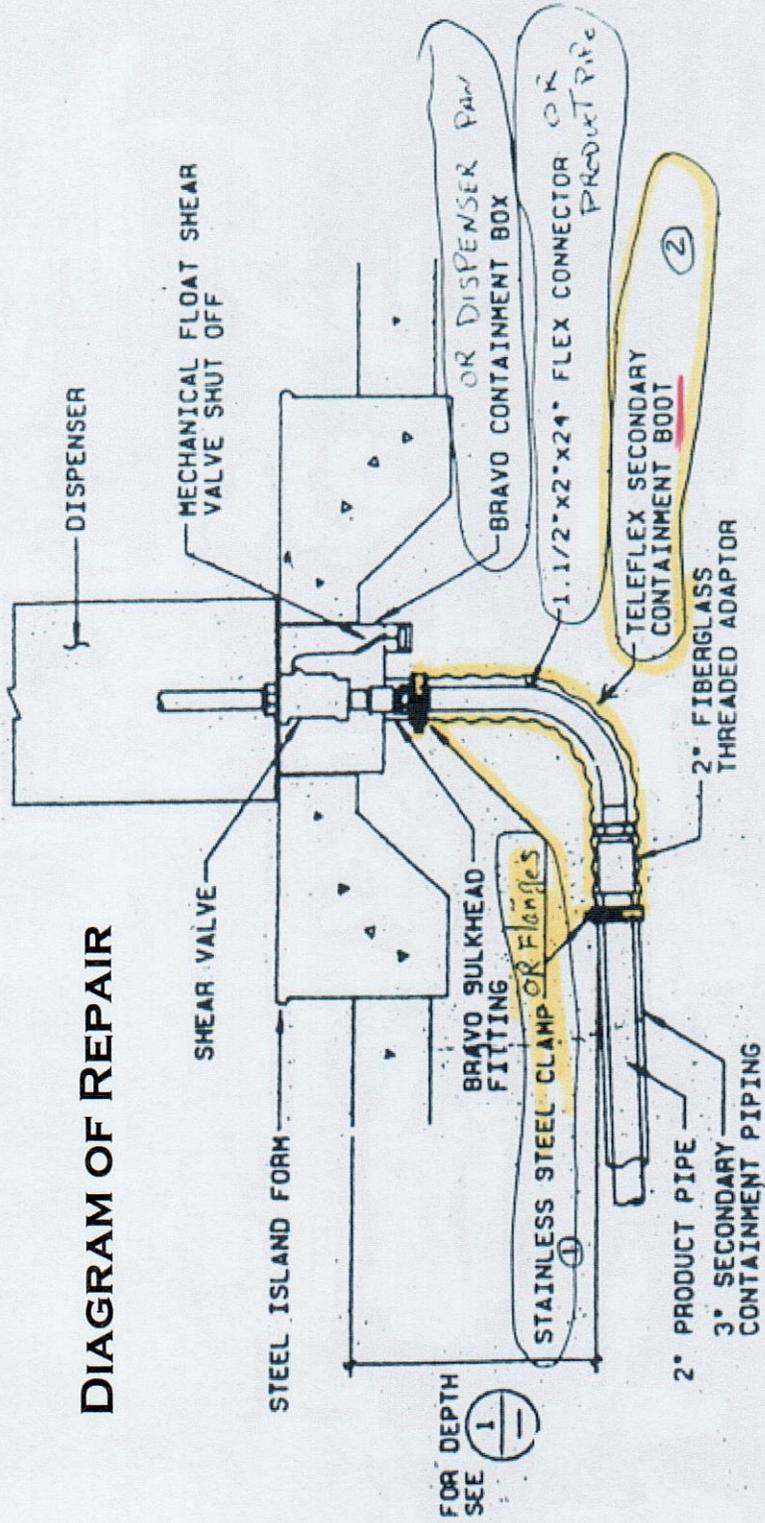
SECONDARY CONTAINMENT REPAIR PERMIT



CALIFORNIA FOOD & FUEL
 18618 SONOMA HWY SONOMA CA.

WHITEMAN PETROLIEUM- JANUARY 2003

DIAGRAM OF REPAIR



FOR DEPTH
SEE
①

- ① Remove Steel Clamps/Flanges From Dispenser Pan.
- ② Remove and Replace Secondary Containment Boots only.
- ③ Test Secondary Containment.

PRODUCT DISPENSER SECTION
FOR NEW INSTALLATIONS

3
3/4" - 1"

CONTRACTOR'S STATEMENT AND SCOPE OF WORK

**WHITEMAN
PETROLEUM, INC.**
140 ELSBREE CIRCLE WINDSOR CA 95492

CONTRACTOR'S #542257 707/838-1807

July 3, 2007

Mr. Saied Molavi
Sonoma Super Gas
18618 Sonoma Highway
Sonoma, CA 95476

Dear Mr. Molavi,

This letter is intended to document the scope of the repairs that Whiteman Petroleum Inc conducted on the underground tank system at your 18618 Sonoma Highway property on January 20, 2003. The scope of work performed was to the secondary containment boots under the dispenser pans and was conducted to correct a pressure test failure to the secondary containment system that occurred on October 8, 2002.

During the course of these repairs we found no evidence of petroleum product releases at any of the points of repair. Also no repairs were required or made by us to the primary containment system including the primary lines and piping, all repairs that we made were to the secondary containment system.

If you have any questions or required further information regarding the above please call me at 707/ 838-1807.

Sincerely,



Gary Whiteman
President

Whiteman Petroleum, Inc.

140 Elsbree Circle
Windsor, CA 95492
707/838-1807

INVOICE # 741

INVOICE DATE: 02/05/03

DUE DATE: AMOUNT DUE
UPON RECEIPT

INVOICE

JOB: 2282

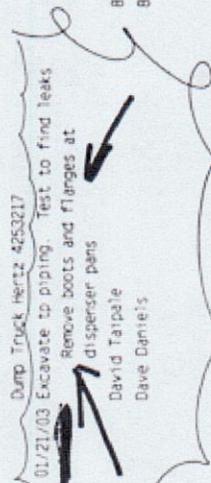
Saied Molavi

#2
6300

BILL TO:

Saied Molavi
Cal. Food and Fuel
18605 Sonoma Ave
Sonoma, CA 95476

DESCRIPTION	QUANTITY	PRICE	AMOUNT
Permit So. Co. Emergency Services 12/12/02 Caulk piping penetrations. Test secondary piping. Lake test dispenser pans.			293.00
Dennis Taipale	6.00hrs	65,000/ hrs	390.00
Dave Daniels	6.00hrs	58,000/ hrs	348.00
Dave Daniels	4.00hrs	58,000/ hrs	232.00
Utility truck	2.00ea	20,000/ ea	40.00
01/20/03 Jack Hammer and remove concrete Haul concrete to dump. Excavate to piping.			
Dennis Taipale	8.00hrs	65,000/ hrs	520.00
Dave Daniels	8.00hrs	58,000/ hrs	464.00
Luis Bedoya	8.00hrs	58,000/ hrs	464.00
Dave Taipale	8.00hrs	55,000/ hrs	440.00
Rocco Cochranellis	8.00hrs	40,000/ hrs	320.00
Utility Trucks	6.00ea	20,000/ ea	120.00
Air Compressor	4.00hrs	25,000/ hrs	100.00
Dump Truck Hertz 4253217			217.55
01/21/03 Excavate tp piping. Test to find leaks Remove boots and flanges at dispenser pans			
David Taipale	8.00hrs	55,000/ hrs	440.00
Dave Daniels	8.00hrs	58,000/ hrs	464.00



Invoices not paid by due date will incur interest charges equal to 1.5% monthly. APR18%

TANKNOLOGY- MARCH 19, 2003

SITE DIAGRAM
Tanknology
 8000 SHOAL CREEK, BUILDING 200
 AUSTIN, TEXAS 78757
 (512) 451-0334
 FAX (512) 459-1499

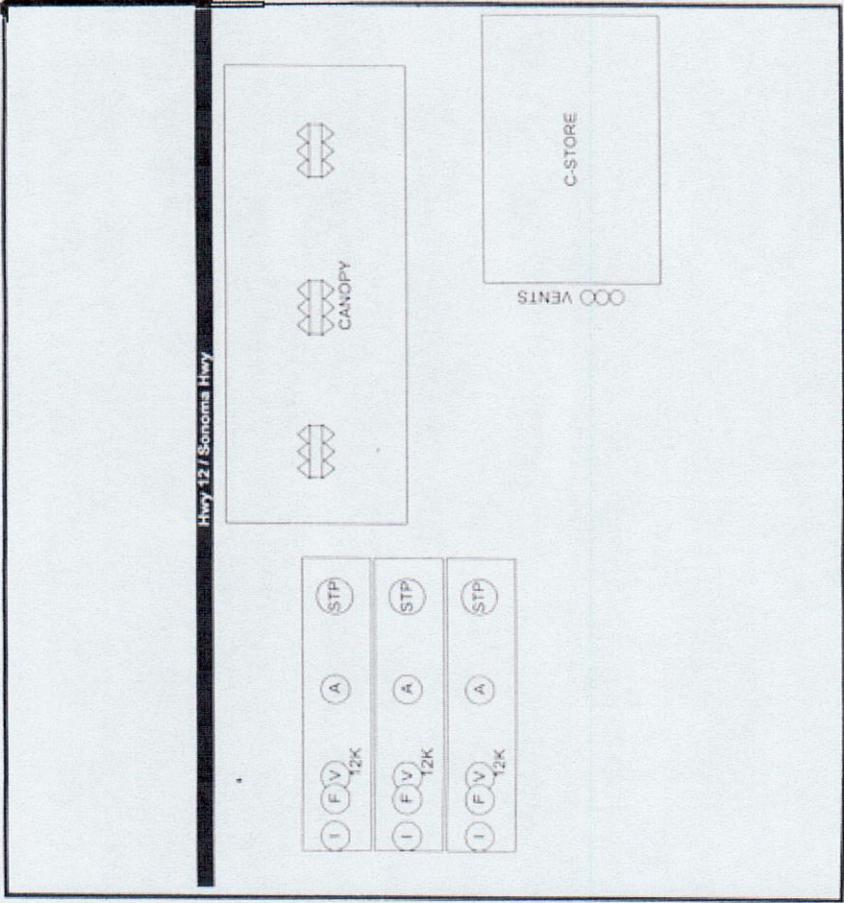
TEST DATE 03/19/03
 CLIENT CALIFORNIA FOOD & FUEL
 WORK ORDER NUMBER 225884
 SITE CALIFORNIA FOOD & FUEL

SB-989 SECONDARY CONTAINMENT SUMMARY RESULTS
Tanknology
 WORK ORDER NO. 225884
 CLIENT CALIFORNIA FOOD & FUEL
 28155 BONOMA HWY
 BONOMA CA 95476
 SALED KILGATE
 707-798-1534

Tank Interstitial Tests		Piping Interstitial Tests	
PRODUCT	MANUFACTURER	PRODUCT	MANUFACTURER
UNFLACED SUPREME PLUS		UNFLACED SUPREME PLUS	
		SMITH	
		SMITH	
		SMITH	

Sump & Under-Dispenser Containment Tests		RF	
Sump / DSP #	MANUFACTURER	RF	RF
PRELIM	Smith	Pass	Pass
52	Bravo	Pass	Pass
34	Bravo	Pass	Pass
56	Bravo	Pass	Pass

SECONDARY CONTAINMENT COMPONENTS THAT FAILED ON OCTOBER 8, 2002 WERE RE-TESTED AND PASSED



Services provided by DOUGLAS HARTY
 Tanknology representative MARK SHAW

Comments on Draft Order Testing Conclusions

- The Draft Order as stated fails to address the issue that the failures of the October 8th, 2002 SB989 test does not conclude that there was a release. Based on the results of the subsequent testing of the Leak Monitoring Equipment on 10/23/08 (no where is this test mentioned in the Draft) and the testing of the Primary product lines on 11/14/02 substantiates the conclusion that there was no confirmed release as a result of the October 8th, 2002 test failure. The Draft should support this conclusion as this is one of the lines of evidence used by the Petitioner. In addition the Draft document should change the terminology used on page 9 paragraph 2 that states "the product lines from the USTs to the dispensers failed". This is not accurate terminology and is misleading. This was not product lines it was the secondary Interstitial piping that failed. The product lines passed as evidenced in the November 14, 2002 Product Line Test.

Test Summary

Offsite Remote Sampling ELD Test

Investigation revealed this test is no longer conducted without a pre-test. The two licensed ELD testers listed on the California EPA website CGRS and Leak Detection Technologies, do not do this type of test without a pre-test.

When contacted, CGRS refused to comment on this 2004 test.

When contacted, Leak Detection Technologies stated that "Our company will not do offsite remote sampling projects at the ELD sensitivity without a comprehensive pretest, and then we recommend against it."



TRACER TIGHT® TEST RESULTS

12/13/2004
Job No: 870021
Sonoma Super Gas / Beacon #106
18618 Sonoma Highway
Sonoma, CA 95476

CGRS
P.O. Box 1489
Ft. Collins, CO 80524

SYSTEM STATUS	SYSTEM#	PRODUCT	SIZE	TRACER	SYSTEM STATUS
	Tank 1	87	10,000	W	FAIL
	Tank 2	91	10,000	G	FAIL
	Tank 3	89	10,000	R	PASS

Soil permeability is greater than 89.1 darcs.

GROUND WATER AND PRODUCT INFO					
AT INOCULATION			AT SAMPLING		
11/05/04			11/15/04		
SYSTEM#	H2O (in)	PROD (in)	H2O (in)	PROD (in)	DEPTH FROM GRADE TANK BOTTOM TOP (in)
Tank 1	0.00	34.90	0.00	34.60	177 81
Tank 2	0.00	41.80	0.00	36.70	177 81
Tank 3	0.00	56.80	0.00	32.10	177 81

TEST EVENTS		INOCULATION		SAMPLING		ANALYSIS	
11/05/04		11/05/04		11/15/04		12/02/04	
FILL RISER - SPILL BUCKET TEST							
TANK#							
Tank 1							
Tank 2							
Tank 3							
PASS/FAIL							
Pass							
Pass							
Pass							

I declare under penalty of perjury that I am a licensed tank tester in the State of California and that the information contained in this report is true and correct to the best of my knowledge.

Inoculated by: Andrew McElroy CA Lic. No: 04-1675 Signature: Andrew McElroy Date: 1/3/05
Sampler: M. Kern CA Lic. No: 04-1639 Signature: M. Kern Date: 1/3/05
TRC Analyst: Andrew McElroy CA Lic. No: 01-1631 Signature: Andrew McElroy Date: 12/16/04

CONDENSED DATA

Sample Date: 12/02/04

Location	Compound	Concentration
009	W	0.0106
009	TVHC	0.0000
010	G	0.0000
010	R	0.0000
010	W	0.0094
010	TVHC	0.0000
011	G	0.0000
011	R	0.0000
011	W	0.0373
011	TVHC	0.2600
012	G	0.0000
012	R	0.0000
012	W	0.0161
012	TVHC	0.0000
013	G	0.0000
013	R	0.0000
013	W	0.0579
013	TVHC	2.3000
014	G	0.0000
014	R	0.0000
014	W	0.0351
014	TVHC	0.0500
015	G	0.0000
015	R	0.0000
015	W	0.1050
015	TVHC	16.4200
016	G	0.0000
016	R	0.0000
016	W	0.0000
016	TVHC	0.0600
017	G	0.0000
017	R	0.0000
017	W	0.0000
017	TVHC	0.0000

r A, E, G, H, I, R, W and TVHC values reported in micrograms/liter (µg/L).
00 = Not Detected -999999.99999 = No sample

CONDENSED DATA

Sample Date: 12/02/04

Location	Compound	Concentration
001	G	0.0000
001	R	0.0000
001	W	0.0000
001	TVHC	0.0000
002	G	0.0000
002	R	0.0000
002	W	0.0837
002	TVHC	12.2400
003	G	0.0000
003	R	0.0000
003	W	0.0093
003	TVHC	0.1400
004	G	0.0007
004	R	0.0000
004	W	0.0000
004	TVHC	0.0700
005	G	0.0005
005	R	0.0000
005	W	0.0000
005	TVHC	4.5200
006	G	0.0000
006	R	0.0000
006	W	0.0000
006	TVHC	0.3000
007	G	0.0000
007	R	0.0000
007	W	0.0000
007	TVHC	6.2100
008	G	0.0000
008	R	0.0000
008	W	0.0000
008	TVHC	0.0000
009	G	0.0000
009	R	0.0000

r A, E, G, H, I, R, W and TVHC values reported in micrograms/liter (µg/L).
00 = Not Detected -999999.99999 = No sample

Sample Date: 12/02/04

CONDENSED DATA

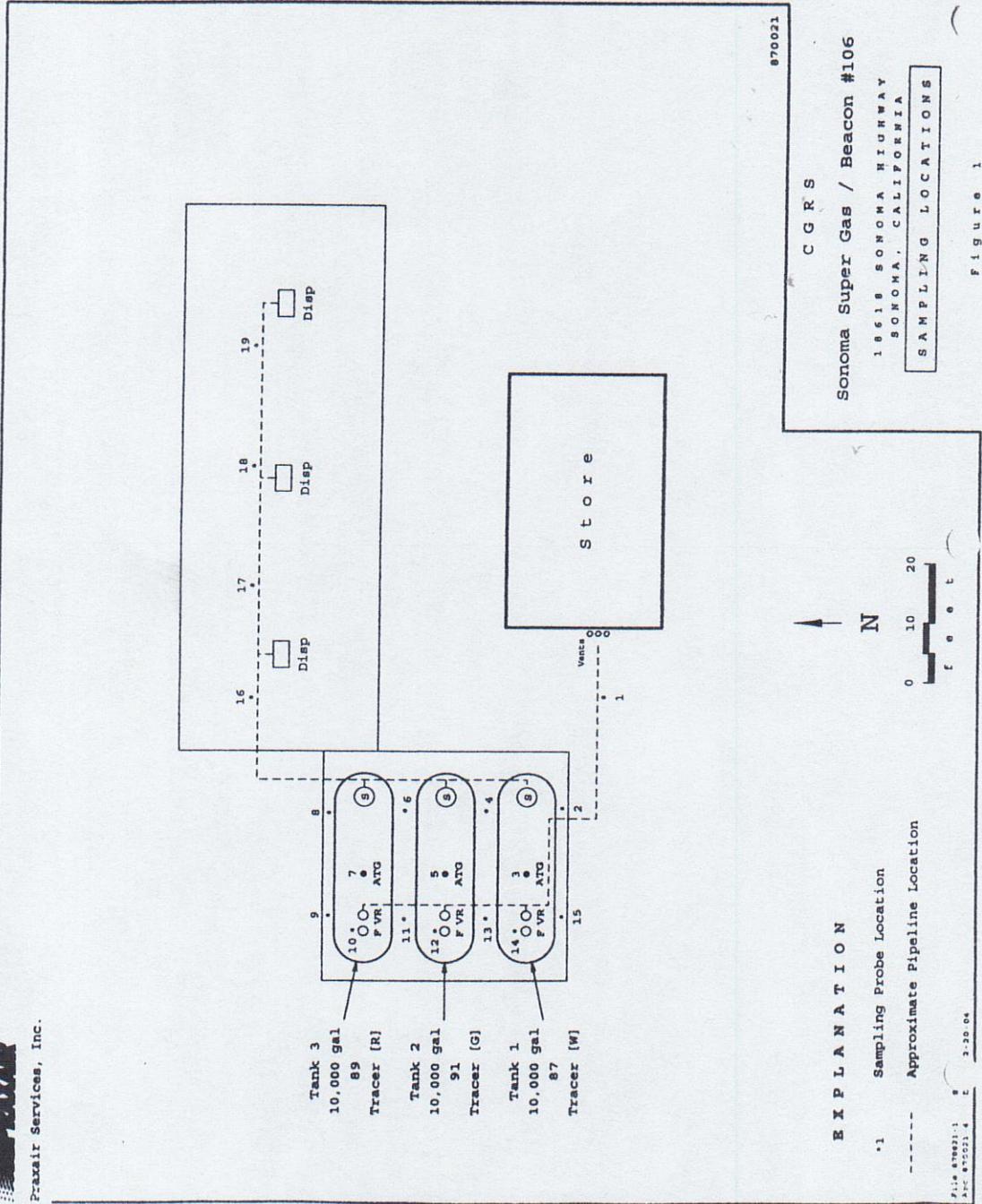
Location	Compound	Concentration
018	G	0.0000
018	R	0.0000
018	W	0.0000
018	TVHC	0.0000
019	G	0.0000
019	R	0.0000
019	W	0.0000
019	TVHC	0.0000
87 Annular	G	0.0000
87 Annular	R	0.0000
87 Annular	W	0.0000
87 Annular	TVHC	0.6100
87 T-Sump	G	0.0008
87 T-Sump	R	0.0000
87 T-Sump	W	0.0000
87 T-Sump	TVHC	5.4300
89 Annular	G	0.0000
89 Annular	R	0.0000
89 Annular	W	0.0000
89 Annular	TVHC	0.3800
89 T-Sump	G	0.0000
89 T-Sump	R	0.0000
89 T-Sump	W	0.0000
89 T-Sump	TVHC	0.0600
91 Annular	G	0.0000
91 Annular	R	0.0000
91 Annular	W	0.0000
91 Annular	TVHC	2.4400
91 T-Sump	G	0.0007
91 T-Sump	R	0.0000
91 T-Sump	W	0.0000
91 T-Sump	TVHC	1.3900

Praxair A, E, G, H, I, R, W and TVHC values reported in micrograms/liter (µg/L).
 0.00000 = Not Detected -999999.99999 = No sample

Figure 1



Praxair Services, Inc.



EXPLANATION

- 1 Sampling Probe Location
- Approximate Pipeline Location

File #870021-1
 Date 8/20/04
 3-20-04

Figure 1



Praxair Services, Inc.

Praxair Services, Inc.
3755 N. Business Center Drive
Tucson, AZ 85705
Tel: (800) 394-9929
Fax: (520) 293-1306

IN SERVICE ENHANCED LEAK DETECTION (ISELD) TEST RESULTS

Client	Date: 1/25/2006	Site Info:	Job No: 38713EL
Shirley Environmental 9595 Lucas Ranch Rd, Suite 100 Rancho Cucamongo Ca 91730		Sonoma Super Saver 18618 Sonoma Hwy Sonoma Ca 95476	

SYSTEM				STATUS - (Pass/ Fail)	
Product / System	Size	Tank	Product Primary (Primary)	Vent	Primary
87	10,000	Pass	Pass	Pass	Pass
89	10,000	Pass	Pass	Pass	Pass
91	10,000	Pass	Pass	Pass	Pass
Vapor Recovery			Pass		
Under Dispenser Containment (UDC)	3		Pass		

GROUND WATER AND PRODUCT INFO

Product / System	IN_TANK H2O (in)	Product Level (in)	Ground Water (in)	Tank Bottom (in)	Tank Top (in)
87	0	4978	>192 inch	168	48
89	0	2130	>192 inch	168	48
91	0	2551	>192 inch	168	48

SPILL BUCKET - H2O TEST

TANK	Fill Bucket Pass/Fail	Vapor Recovery Bucket Pass/Fail
87	Pass	Pass
89	Pass	Pass
91	Pass	Pass

I declare under penalty of perjury that I am a licensed tank tester in the State of California and that the information contained in this report is true and correct to the best of my knowledge

Tester: Edwin Coreas State Lic. #: 03-1652
 Signature: *Edwin Coreas* Date: 1/25/2006

Test Summary



Praxair Services, Inc.

Praxair Services, Inc.
3755 N. Business Center Drive
Tucson, AZ 85705
Tel: (800) 394-9929
Fax: (520) 293-1306

IN SERVICE ENHANCED LEAK DETECTION (ISELD) TEST RESULTS

Client	Date: 1/25/2006	Site Info:	Job No: 38713EL
Shirley Environmental 9595 Lucas Ranch Rd, Suite 100 Rancho Cucamongo Ca 91730		Sonoma Super Saver 18618 Sonoma Hwy Sonoma Ca 95476	

TEST SUMMARY

QA Review: Test data and information has been reviewed and conforms to ELD procedures and protocol. Detected leaks were repaired by contractor and re-tested tight before end of testing event. All systems tested pass.

- It is necessary to review the details of the leak log on the following slide to accurately interpret this statement.

Page 9 bottom of the first paragraph of the draft order

Reviewed By:

Draw Burk

Signature:

2/7/2006

LEAK LOG												
Site:		Sonoma Super Saver		Client:		Shirley Environmental		38713EL		SWO #		
18618 Sonoma Hwy		18618 Sonoma Hwy		Kevin Ashley		Sonoma Ca 95476		Contact #		April Weemes (909) 467-7443		
Log Completed By:		Time		ITEM		Test		Tested		Sample ID		
Date:	Leak/Pass										Concentration: (ug/L - ppm - psig)	
01/23/06	1a	11:36	BU	89 TK	TS	Note					50 ppm	Dectected with heliest will investigate
01/23/06	2a	11:45	BU	89 TK	TS	Note					Note	Used soap and water found no visible signs of bubbles to indicate a leak. Wrapped vapor recover line with shrink wrap.
01/23/06	1b	19:17	Final	89 TK	TS	89 TS					A = 0.0005 ug/l	Sample collected at 19:04 will investigate
01/24/06	2b	8:45	Final	89 TK	Note	Note					Note	Wrapped flex hose with shrink wrap found no visible leaks with soap and water
01/24/06	1c	9:59	Final	87 TK	ATG	87 ATG					A = 0.0026 ug/l	Sample collected at 9:45 will investigate
01/24/06	2c	15:20	Final	Note	Note	Note					Note	During inoculation the lids to the tank interstitial were exposed. With the wind direction we believe there was some contamination into the tank, as well as the soil around the fill riser we resample the interstitial, and vp no increase in rate



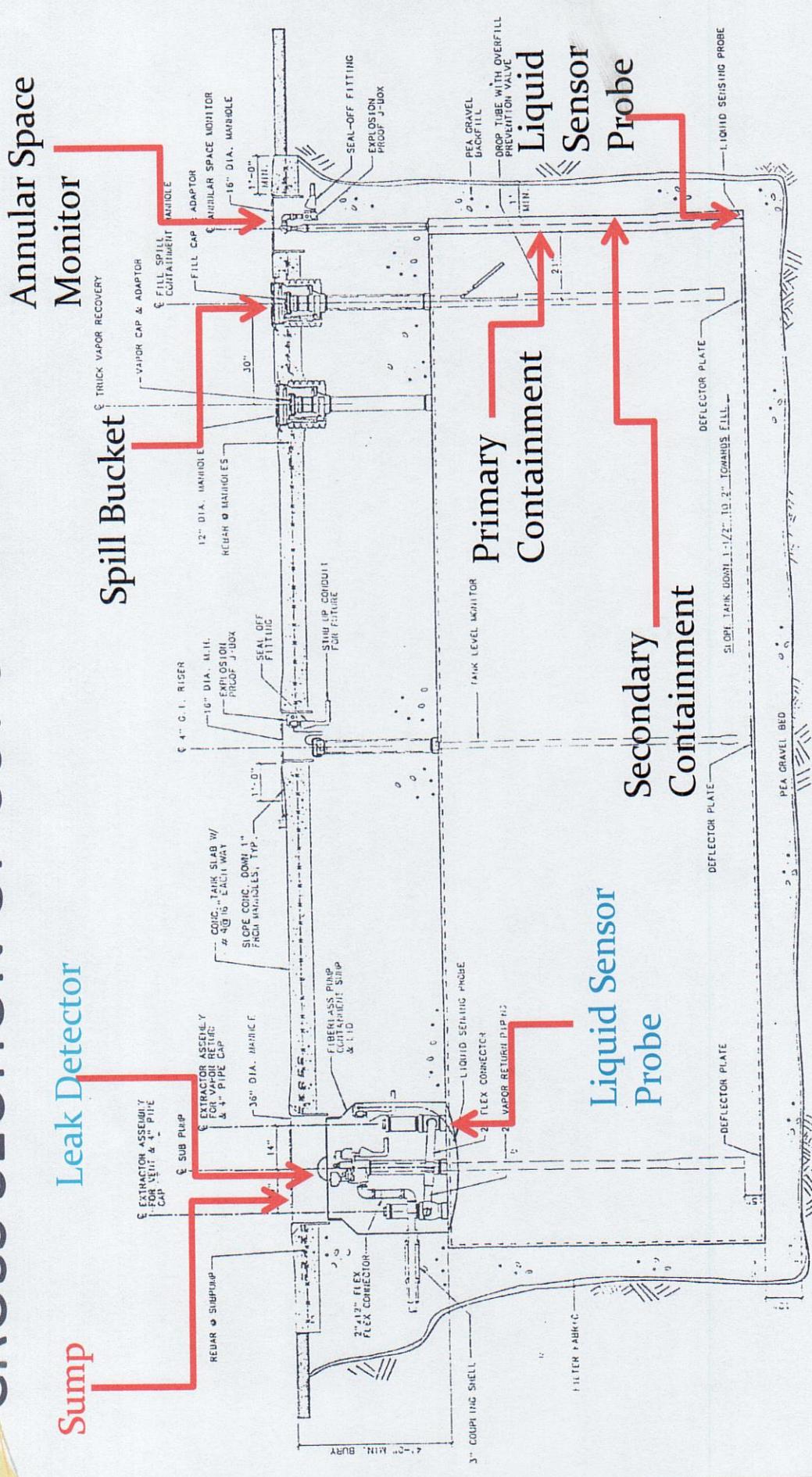
Leak log and resolution contractor notes

1. This Comment was referring to the inoculated tracer gas possibly escaping in the wind condition.

All Tests Summarized

UST Component	October 8, 2002	November 13, 2003	Mechanical Line Leak Detector	UST COMPONENT	November 14, 2002	December 13, 2004	January 25, 2006
UST Component	October 8, 2002	November 13, 2003	Mechanical Line Leak Detector	UST COMPONENT	November 14, 2002	December 13, 2004	January 25, 2006
	SB989 Sec Cont	SB 989 Sec Cont Retest	1 Regular		Product Lines & Leak Dectector	ELD	ELD
			2 Super		Passed	Failed	Passed
			3 Plus/Midgrade		Passed	Failed	Passed
SECONDARY CONTAINMENT							
UST							
1 Regular	Passed						
2 Super	Passed						
3 Plus/Midgrade	Passed						
Piping Interstitial (secondary)							
1 Regular	Failed						
2 Super	Failed						
3 Plus/Midgrade	Failed						
Sump & Underdispenser							
1 Regular (Sump)	Passed						
2 Super (Sump)	Failed						
3 Midgrade (Sump)	Passed						
1 Regular (Disp.)	Failed	October 23, 2002 Monitoring Certification					
2 Super (Disp.)	Failed						
3 Midgrade (Disp.)	Failed						
Annulars Space or Vault Leak Sensor							
1 Regular Tank	Passed						
2 Super Tank	Passed						
3 Plus/Midgrade Tank	Passed						
Piping Sump/Trench Sensor							
1 Regular	Passed						
2 Super	Passed						
3 Plus/Midgrade	Passed						
Fill Riser-Spill Bucket Test							
1 Regular							
2 Super							
3 Plus/Midgrade							

CROSS SECTION OF UST SYTSEM



TYPICAL TANK ELEVATION/SECTION
1/2"-1"=0'

Ms. Jeanine Townsend
November 2, 2008

Appendix B

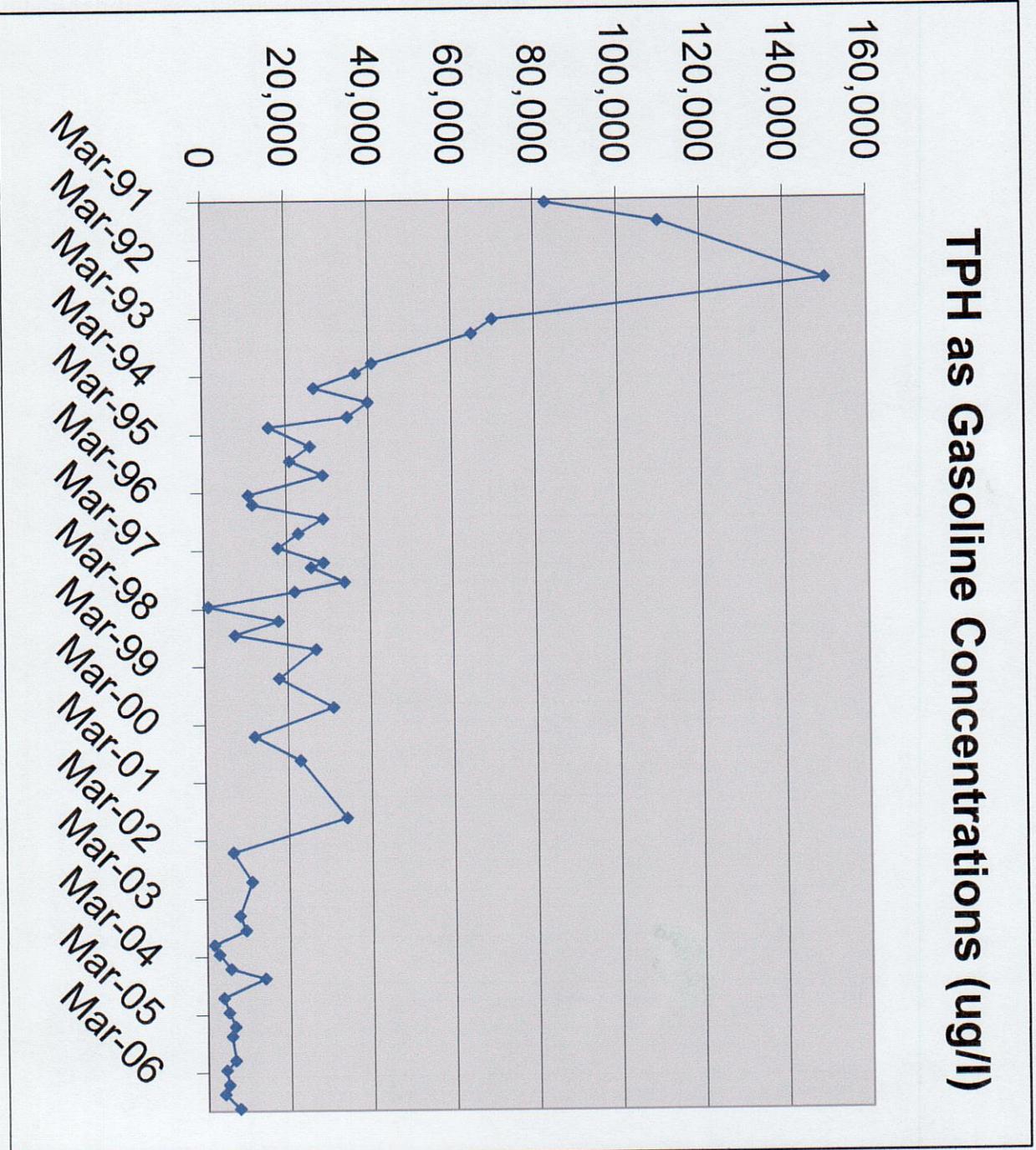
Charts Presenting Groundwater Monitoring Results

Sampling Date	TPH as Gasoline
3/5/1991	83,000
7/31/1991	110,000
7/1/1992	150,000
3/25/1993	70,000
6/2/1993	65,000
12/1/1993	41,000
2/16/1994	37,000
5/5/1994	27,000
8/16/1994	40,000
11/22/1994	35,000
1/31/1995	16,000
5/17/1995	26,000
8/15/1995	21,000
11/22/1995	29,000
3/5/1996	11,000
5/16/1996	12,000
8/29/1996	29,000
11/25/1996	23,000
2/20/1997	18,000
5/8/1997	29,000
6/21/1997	26,000
9/24/1997	34,000
11/14/1997	22,000
2/6/1998	1,100
5/26/1998	18,000
8/3/1998	7,500
11/6/1998	27,000
5/5/1999	18,000
11/10/1999	31,000
5/24/2000	12,000
10/19/2000	23,000
10/29/2001	34,000
5/28/2002	6,600
11/13/2002	11,000
6/30/2003	8,000
9/30/2003	9,500
12/29/2003	1,800
2/23/2004	3,000
5/24/2004	5,800
7/29/2004	14,000
11/18/2004	4,000
2/2/2005	5,200
5/9/2005	6,700
7/28/2005	5,900
12/7/2005	6,700
2/22/2006	4,500
5/10/2006	5,100
7/20/2006	4,100
10/18/2006	7,700

MONITORING/EXTRACTION WELL MW-1

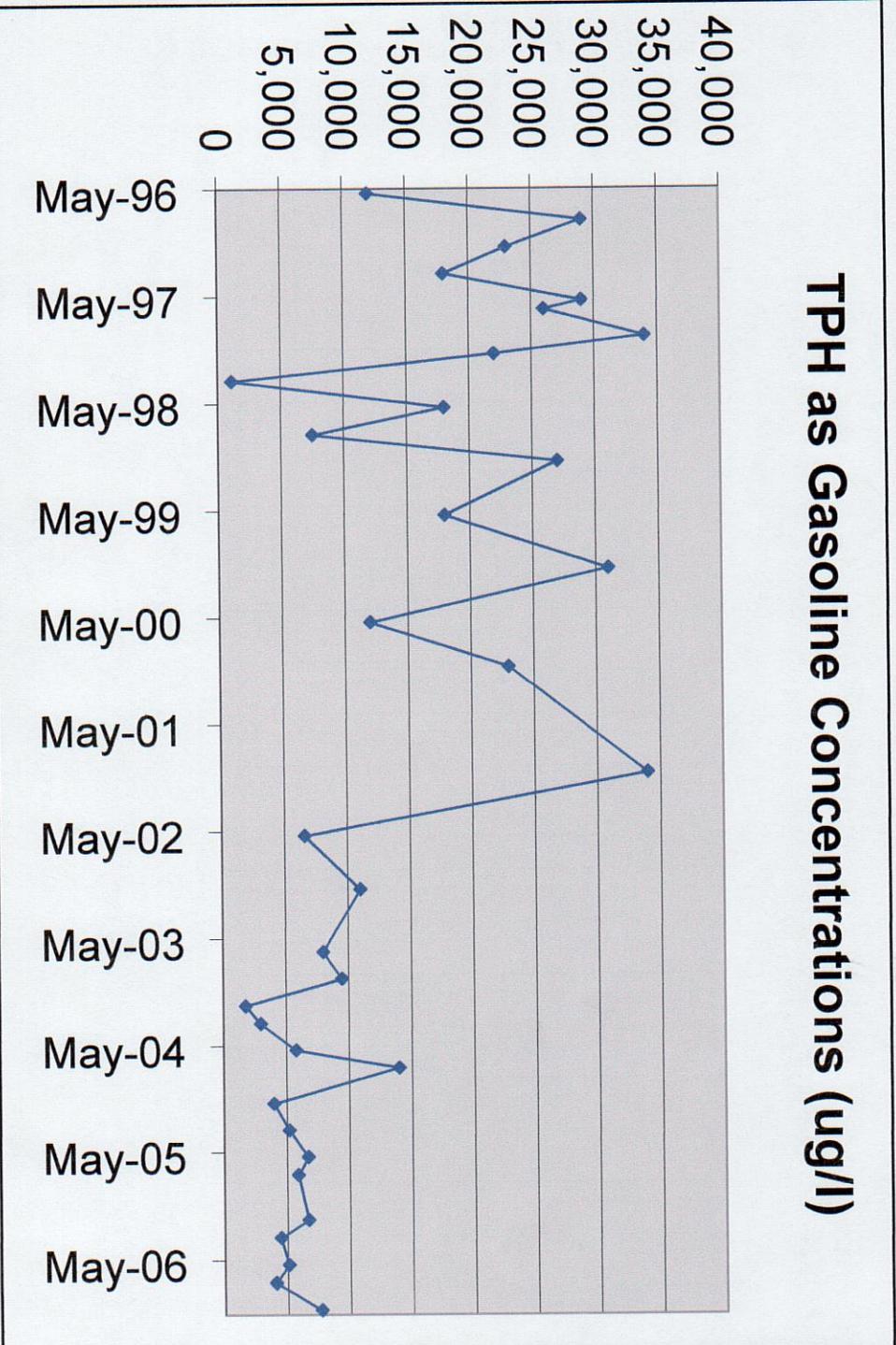
March 1, 1991 to October 18, 2006

TPH as Gasoline Concentrations (ug/l)



Sampling Date	TPH as Gasoline
5/16/1996	12,000
8/29/1996	29,000
11/25/1996	23,000
2/20/1997	18,000
5/8/1997	29,000
6/21/1997	26,000
9/24/1997	34,000
11/14/1997	22,000
2/6/1998	1,100
5/26/1998	18,000
8/3/1998	7,500
11/6/1998	27,000
5/5/1999	18,000
11/10/1999	31,000
5/24/2000	12,000
10/19/2000	23,000
10/29/2001	34,000
5/28/2002	6,600
11/13/2002	11,000
6/30/2003	8,000
9/30/2003	9,500
12/29/2003	1,800
2/23/2004	3,000
5/24/2004	5,800
7/29/2004	14,000
11/18/2004	4,000
2/2/2005	5,200
5/9/2005	6,700
7/28/2005	5,900
12/7/2005	6,700
2/22/2006	4,500
5/10/2006	5,100
7/20/2006	4,100
10/18/2006	7,700

MONITORING/EXTRACTION WELL MW-1
 May 16, 1996 to October 18, 2006

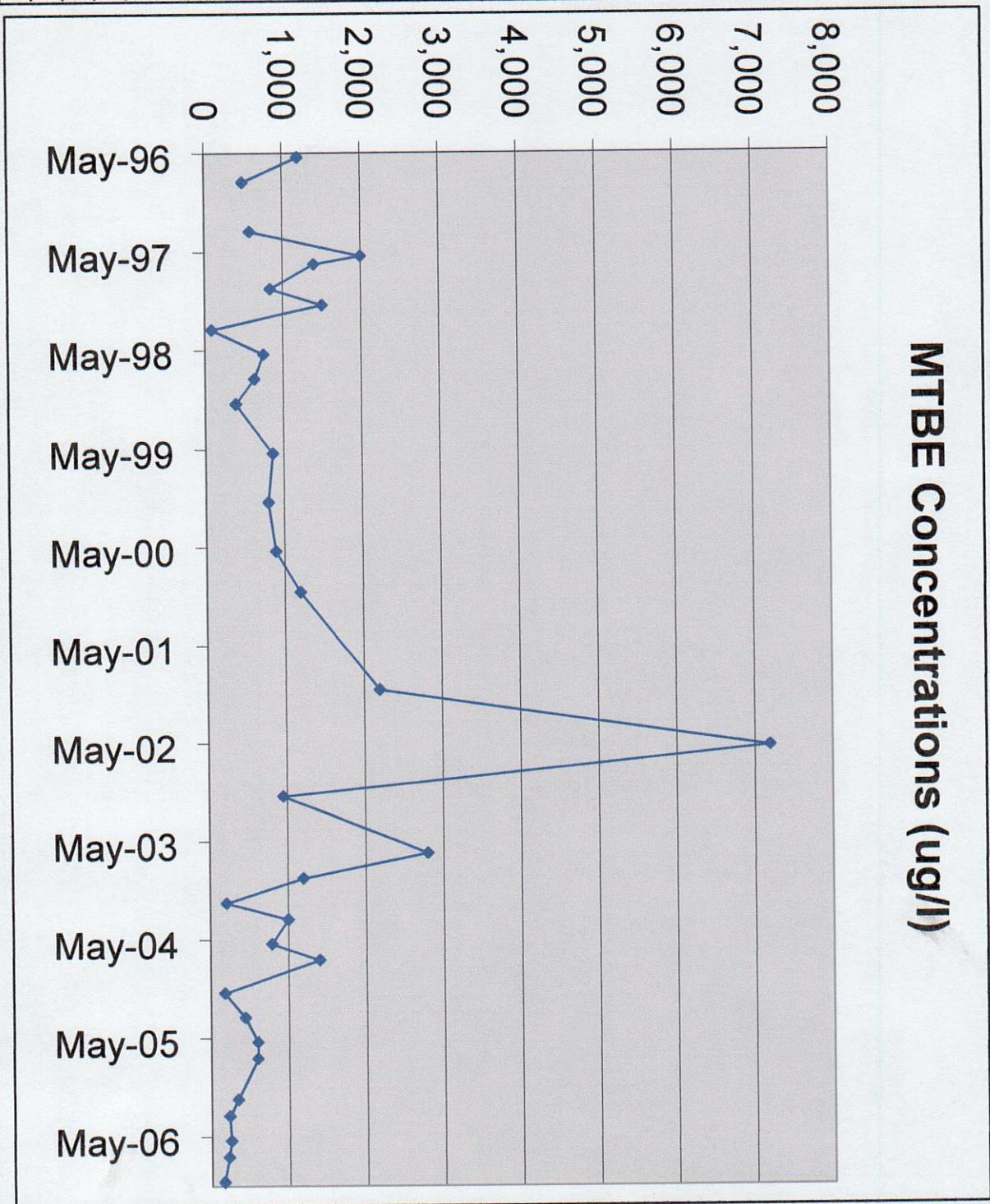


MONITORING/EXTRACTION WELL

MW-1

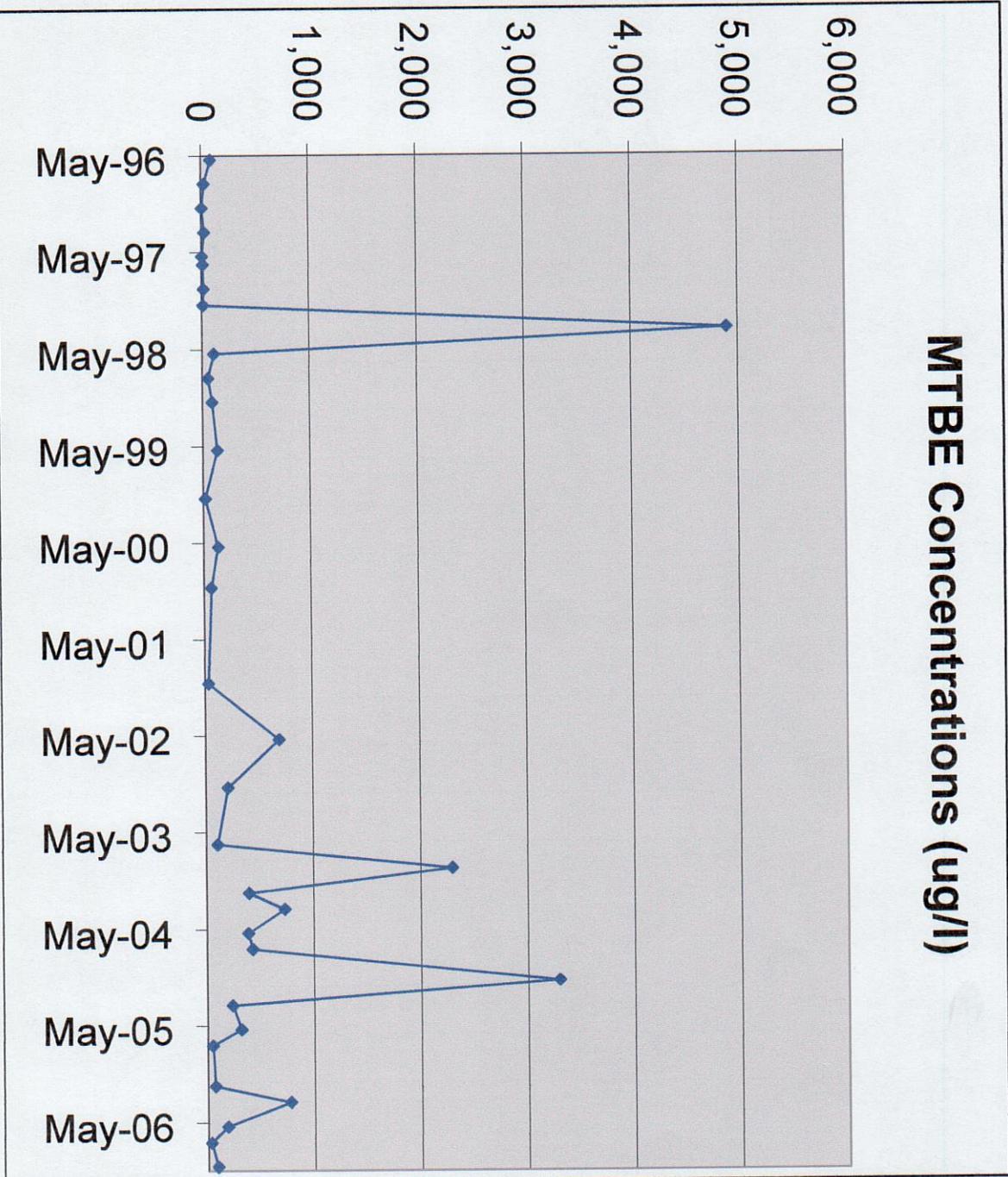
May 16, 1996 to October 18, 2006

MTBE Concentrations (ug/l)



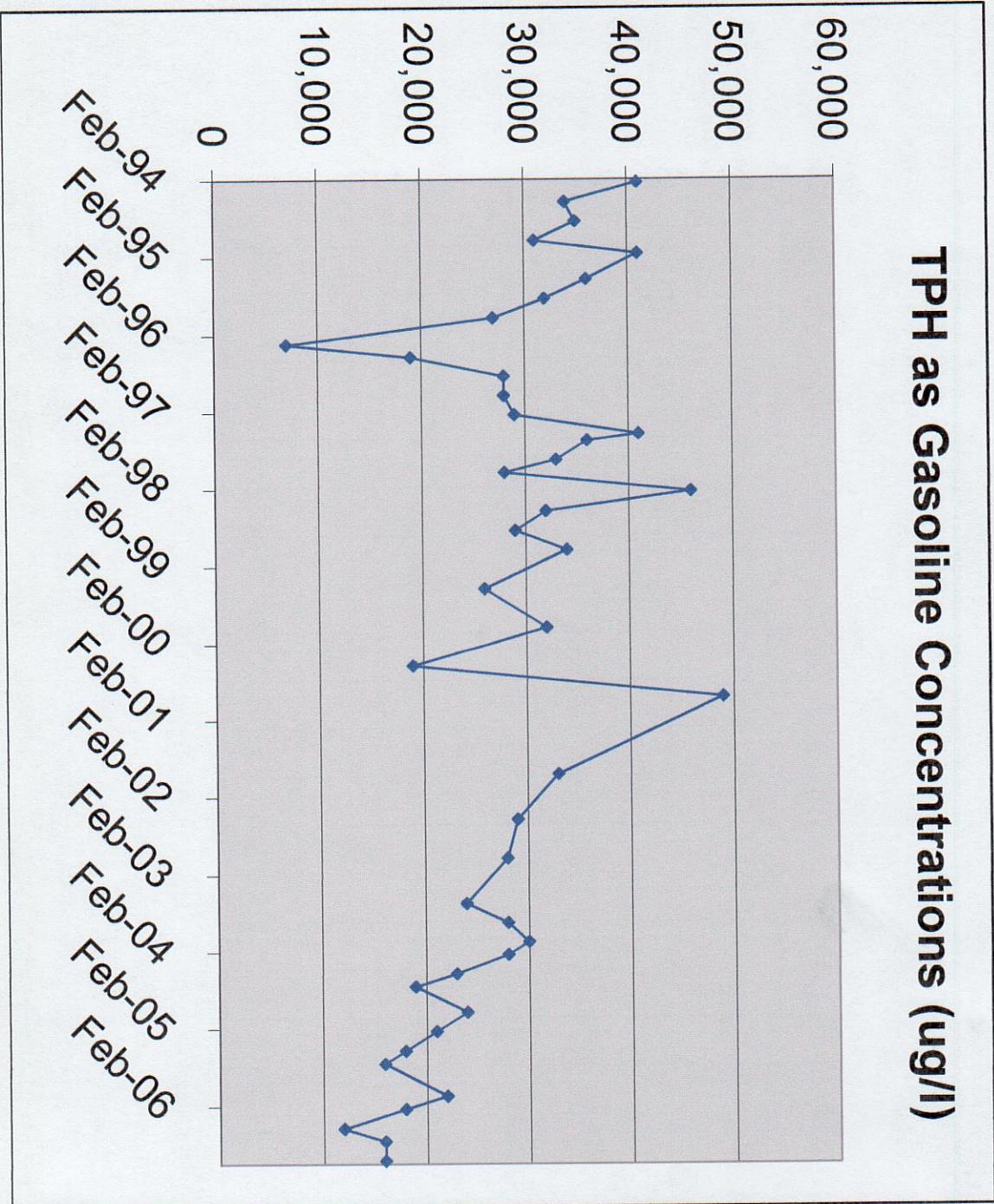
MONITORING WELL MW-2
May 16, 1996 to October 18, 2006

Sampling Date	TPH as Gasoline
5/16/1996	91
8/29/1996	30
11/25/1996	8
2/20/1997	29
5/8/1997	6
6/21/1997	13
9/24/1997	20
11/14/1997	15
2/6/1998	4,900
5/26/1998	110
8/3/1998	56
11/6/1998	93
5/5/1999	140
11/10/1999	21
5/24/2000	140
10/19/2000	71
10/29/2001	36
5/28/2002	690
11/13/2002	210
6/30/2003	110
9/30/2003	2,300
12/29/2003	400
2/23/2004	730
5/24/2004	390
7/29/2004	430
11/18/2004	3,300
2/2/2005	240
5/9/2005	320
7/28/2005	53
12/7/2005	74
2/22/2006	780
5/10/2006	190
7/20/2006	34
10/18/2006	95



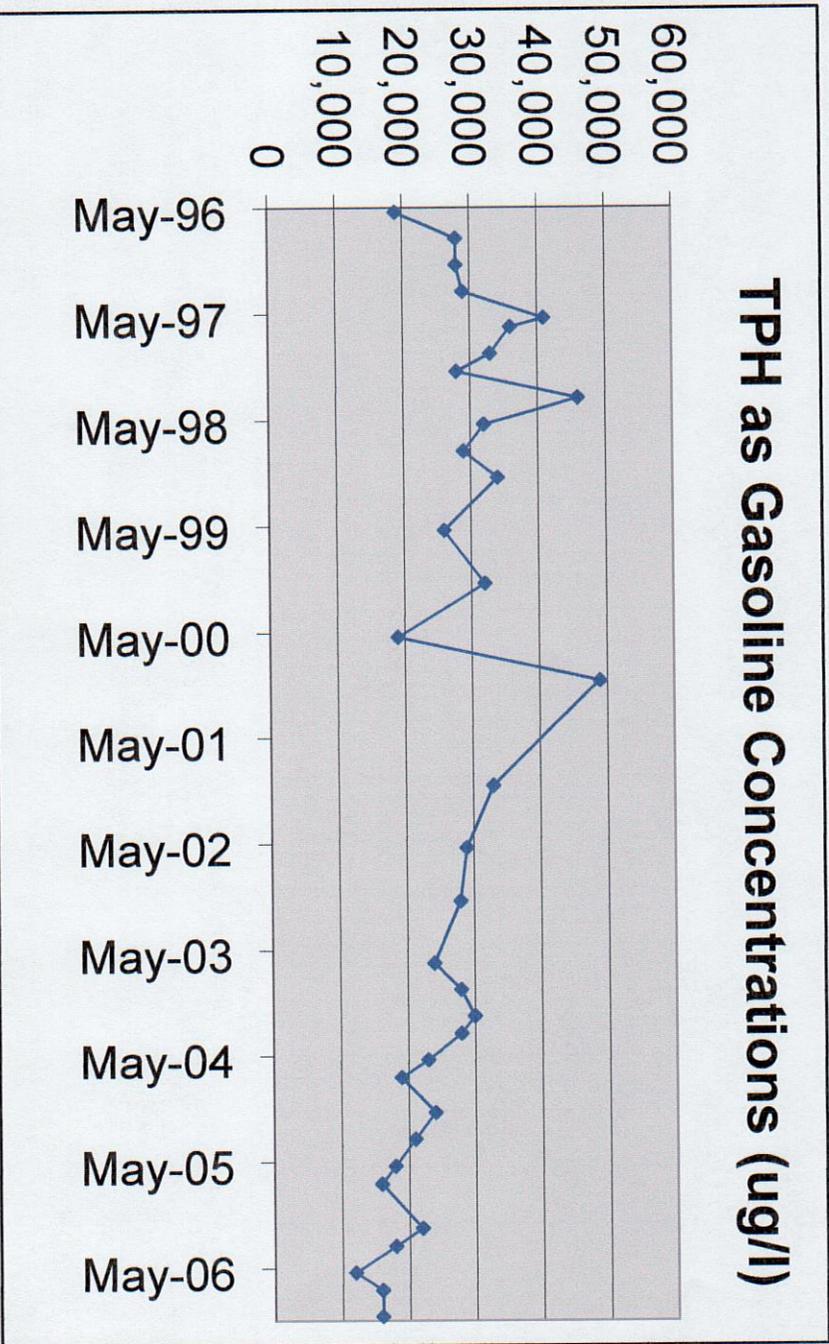
Sampling Date	TPH as Gasoline
2/16/1994	41,000
5/5/1994	34,000
8/16/1994	35,000
11/22/1994	31,000
1/31/1995	41,000
5/17/1995	36,000
8/15/1995	32,000
11/22/1995	27,000
3/5/1996	7,000
5/16/1996	19,000
8/29/1996	28,000
11/25/1996	28,000
2/20/1997	29,000
5/8/1997	41,000
6/21/1997	36,000
9/24/1997	33,000
11/14/1997	28,000
2/6/1998	46,000
5/26/1998	32,000
8/3/1998	29,000
11/6/1998	34,000
5/5/1999	26,000
11/10/1999	32,000
5/24/2000	19,000
10/19/2000	49,000
10/29/2001	33,000
5/28/2002	29,000
11/13/2002	28,000
6/30/2003	24,000
9/30/2003	28,000
12/29/2003	30,000
2/23/2004	28,000
5/24/2004	23,000
7/29/2004	19,000
11/18/2004	24,000
2/2/2005	21,000
5/9/2005	18,000
7/28/2005	16,000
12/7/2005	22,000
2/22/2006	18,000
5/10/2006	12,000
7/20/2006	16,000
10/18/2006	16,000

MONITORING/EXTRACTION WELL MW-3
February 6, 1994 to October 18, 2006



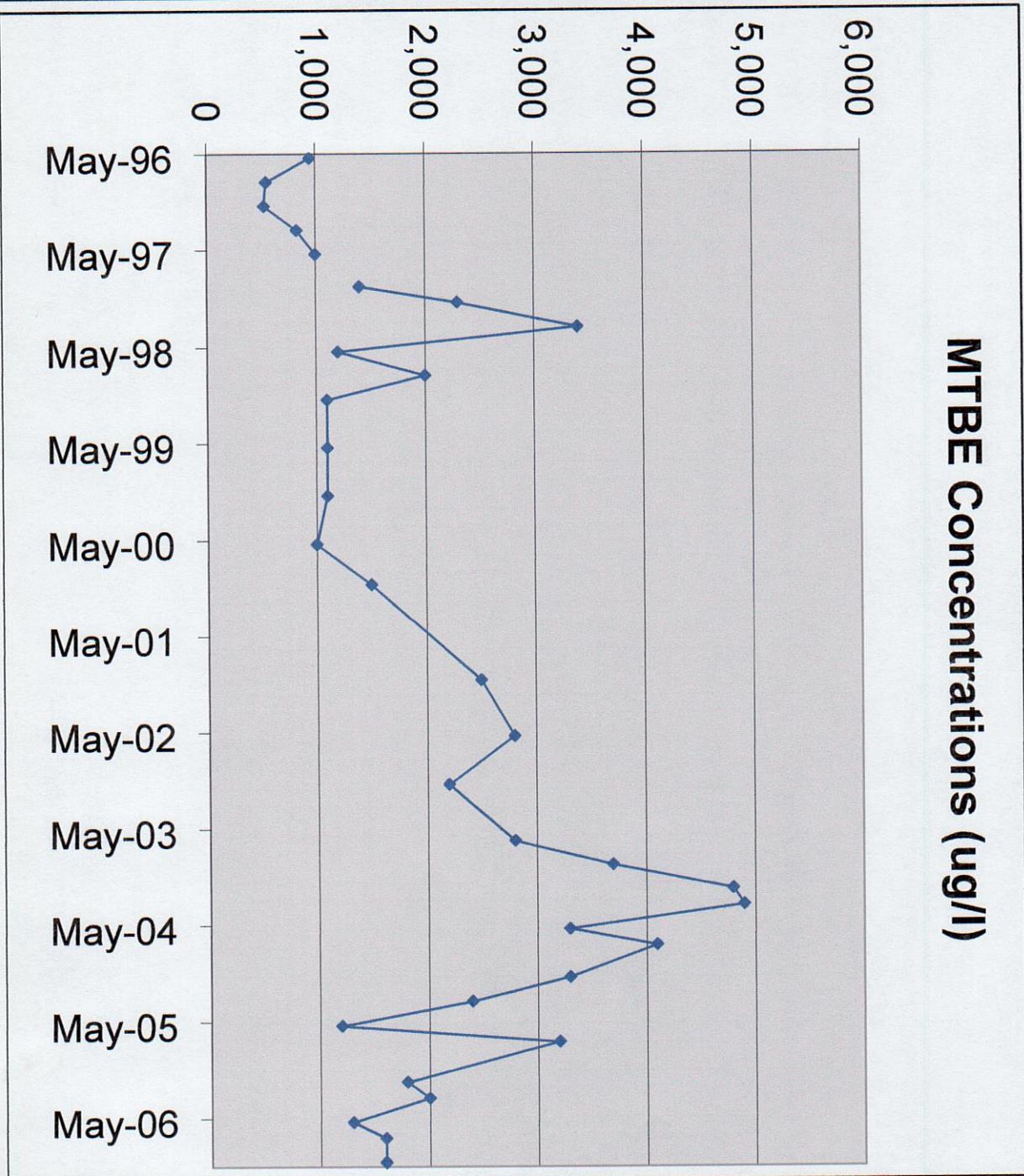
Sampling Date	TPH as Gasoline
5/16/1996	19,000
8/29/1996	28,000
11/25/1996	28,000
2/20/1997	29,000
5/8/1997	41,000
6/21/1997	36,000
9/24/1997	33,000
11/14/1997	28,000
2/6/1998	46,000
5/26/1998	32,000
8/3/1998	29,000
11/6/1998	34,000
5/5/1999	26,000
11/10/1999	32,000
5/24/2000	19,000
10/19/2000	49,000
10/29/2001	33,000
5/28/2002	29,000
11/13/2002	28,000
6/30/2003	24,000
9/30/2003	28,000
12/29/2003	30,000
2/23/2004	28,000
5/24/2004	23,000
7/29/2004	19,000
11/18/2004	24,000
2/2/2005	21,000
5/9/2005	18,000
7/28/2005	16,000
12/7/2005	22,000
2/22/2006	18,000
5/10/2006	12,000
7/20/2006	16,000
10/18/2006	16,000

MONITORING/EXTRACTION WELL MW-3
May 16, 1996 to October 18, 2006



MONITORING/EXTRACTION WELL MW-3
May 16, 1996 to October 18, 2006

MTBE Concentrations (ug/l)

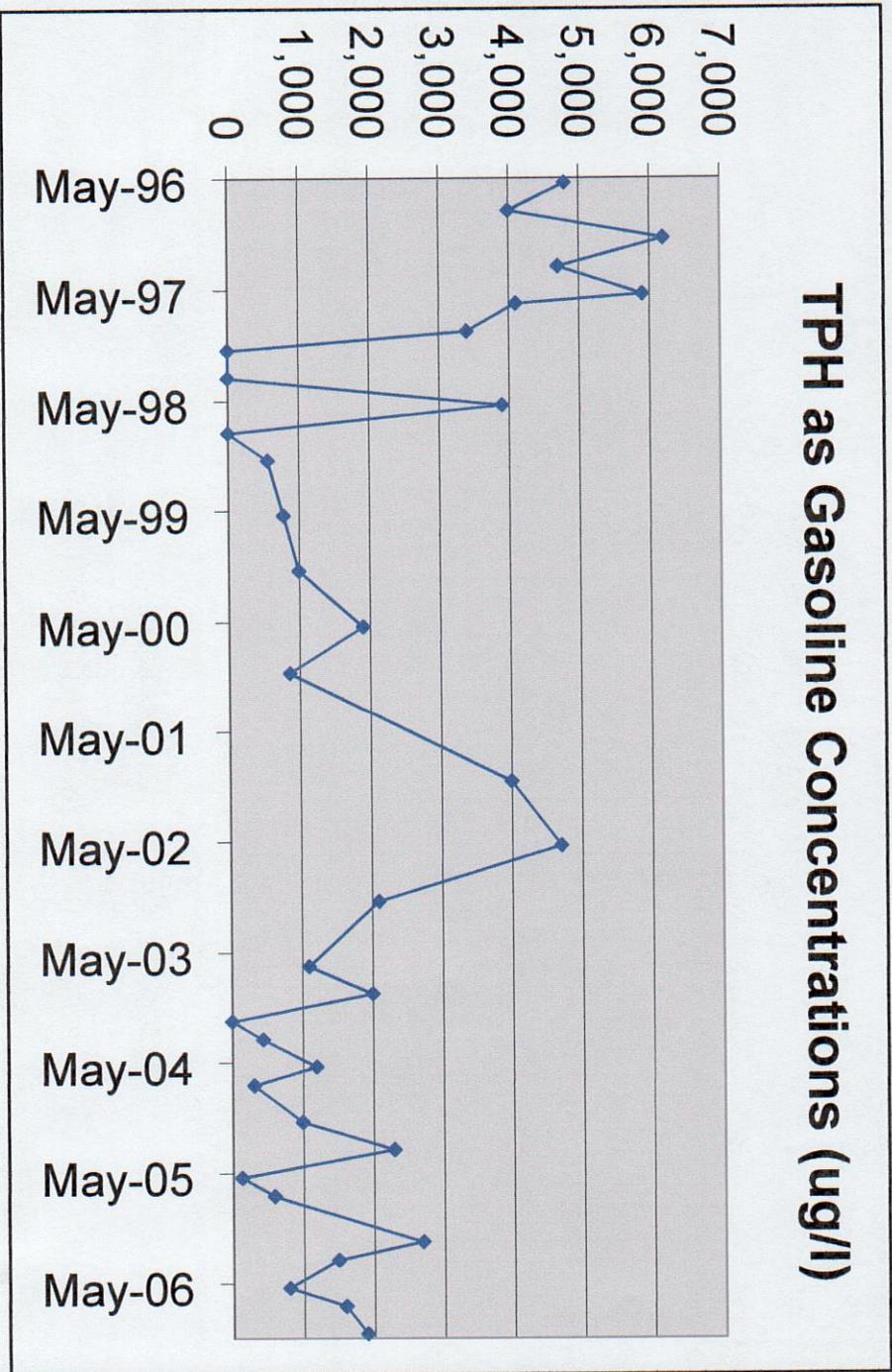


Sampling Date	TPH as Gasoline
5/16/1996	950
8/29/1996	550
11/25/1996	530
2/20/1997	830
5/8/1997	1,000
6/21/1997	1,400
9/24/1997	2,300
11/14/1997	2,300
2/6/1998	3,400
5/26/1998	1,200
8/3/1998	2,000
11/6/1998	1,100
5/5/1999	1,100
11/10/1999	1,100
5/24/2000	1,000
10/19/2000	1,500
10/29/2001	2,500
5/28/2002	2,800
11/13/2002	2,200
6/30/2003	2,800
9/30/2003	3,700
12/29/2003	4,800
2/23/2004	4,900
5/24/2004	3,300
7/29/2004	4,100
11/18/2004	3,300
2/2/2005	2,400
5/9/2005	1,200
7/28/2005	3,200
12/7/2005	1,800
2/22/2006	2,000
5/10/2006	1,300
7/20/2006	1,600
10/18/2006	1,600

Sampling Date	TPH as Gasoline
5/16/1996	4,800
8/29/1996	4,000
11/25/1996	6,200
2/20/1997	4,700
5/8/1997	5,900
6/21/1997	4,100
9/24/1997	3,400
11/14/1997	<50
2/6/1998	<50
5/26/1998	3,900
8/3/1998	<50
11/6/1998	560
5/5/1999	780
11/10/1999	1,000
5/24/2000	1,900
10/19/2000	860
10/29/2001	4,000
5/28/2002	4,700
11/13/2002	2,100
6/30/2003	1,100
9/30/2003	2,000
12/29/2003	<50
2/23/2004	440
5/24/2004	1,200
7/29/2004	310
11/18/2004	1,000
2/2/2005	2,300
5/9/2005	130
7/28/2005	590
12/7/2005	2,700
2/22/2006	1,500
5/10/2006	800
7/20/2006	1,600
10/18/2006	1,900

MONITORING/EXTRACTION WELL MW-4

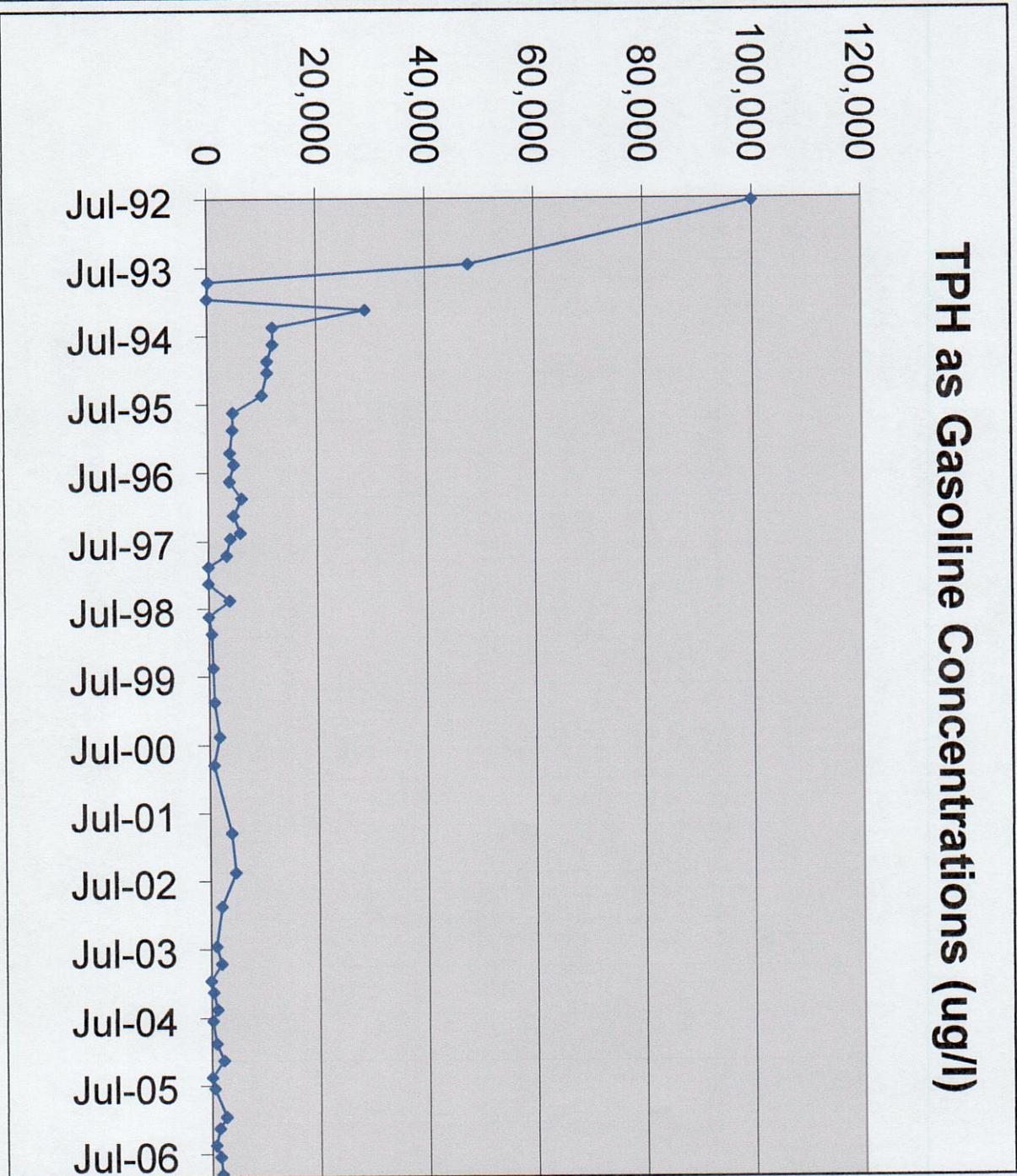
May 16, 1991 to October 18, 2006



MONITORING/EXTRACTION WELL MW-4

July 1, 1992 to October 18, 2006

TPH as Gasoline Concentrations (ug/l)

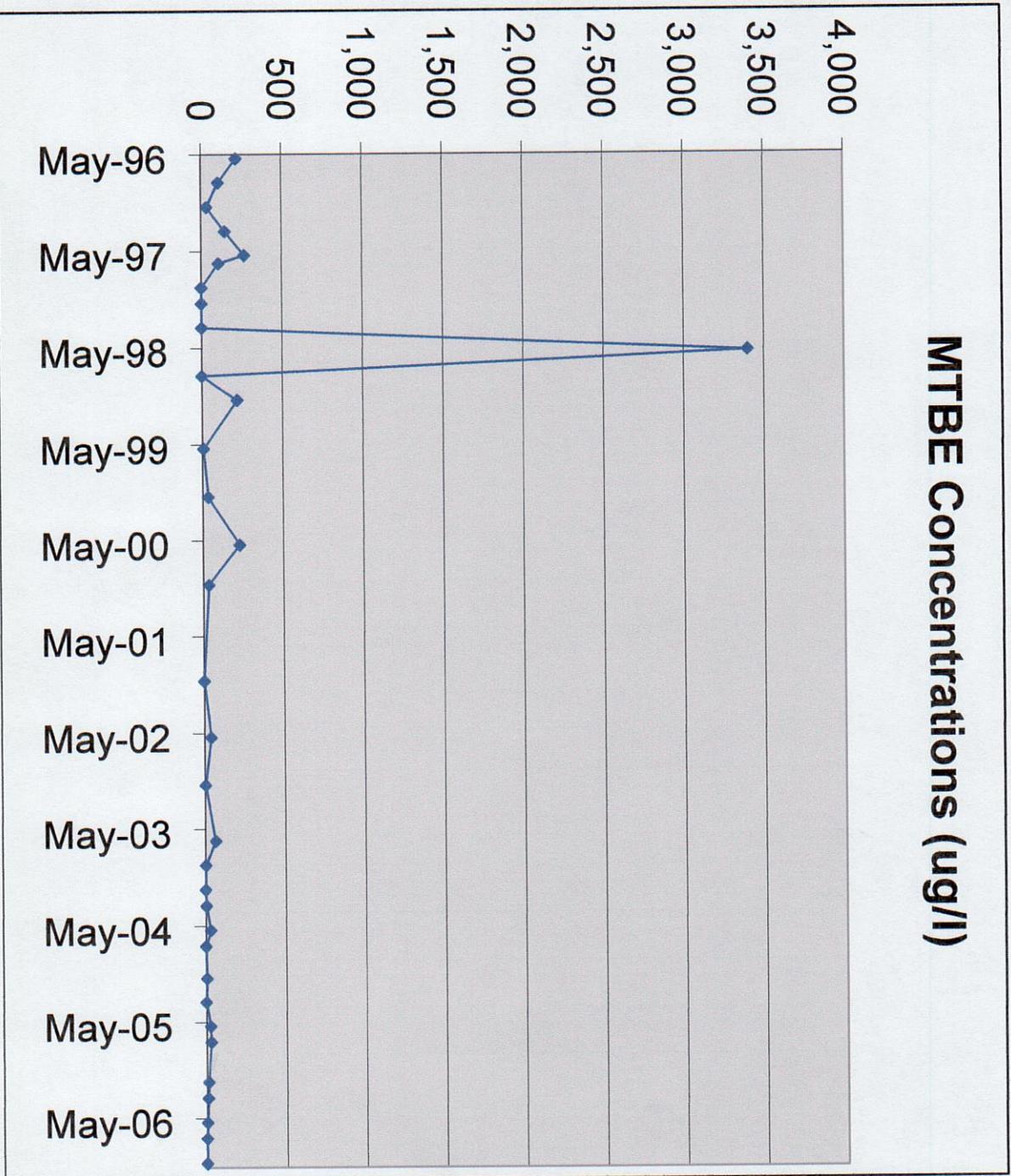


Sampling Date	TPH as Gasoline
7/1/1992	100,000
6/2/1993	48,000
9/1/1993	240
12/1/1993	<50
2/16/1994	29,000
5/5/1994	12,000
8/16/1994	12,000
11/22/1994	11,000
1/31/1995	11,000
5/17/1995	10,000
8/15/1995	4,700
11/22/1995	4,600
3/5/1996	4,100
5/16/1996	4,800
8/29/1996	4,000
11/25/1996	6,200
2/20/1997	4,700
5/8/1997	5,900
6/21/1997	4,100
9/24/1997	3,400
11/14/1997	<50
2/6/1998	<50
5/26/1998	3,900
8/3/1998	<50
11/6/1998	560
5/5/1999	780
11/10/1999	1,000
5/24/2000	1,900
10/19/2000	860
10/29/2001	4,000
5/28/2002	4,700
11/13/2002	2,100
6/30/2003	1,100
9/30/2003	2,000
12/29/2003	<50
2/23/2004	440
5/24/2004	1,200
7/29/2004	310
11/18/2004	1,000
2/2/2005	2,300
5/9/2005	130
7/28/2005	590
12/7/2005	2,700
2/22/2006	1,500
5/10/2006	800
7/20/2006	1,600
10/18/2006	1,900

Sampling Date	TPH as Gasoline
5/16/1996	220
8/29/1996	110
11/25/1996	35
2/20/1997	150
5/8/1997	270
6/21/1997	110
9/24/1997	<50
11/14/1997	<5.0
2/6/1998	<5.0
5/26/1998	3,400
8/3/1998	<5.0
11/6/1998	220
5/5/1999	7.8
11/10/1999	36
5/24/2000	230
10/19/2000	35
10/29/2001	1.3
5/28/2002	43
11/13/2002	5.2
6/30/2003	67
9/30/2003	4.0
12/29/2003	1.1
2/23/2004	4.6
5/24/2004	32
7/29/2004	0.91
11/18/2004	4.7
2/2/2005	0.86
5/9/2005	27
7/28/2005	31
12/7/2005	14
2/22/2006	9.6
5/10/2006	4.4
7/20/2006	2.1
10/18/2006	<0.5

MONITORING WELL MW-4
May 16, 1996 to October 18, 2006

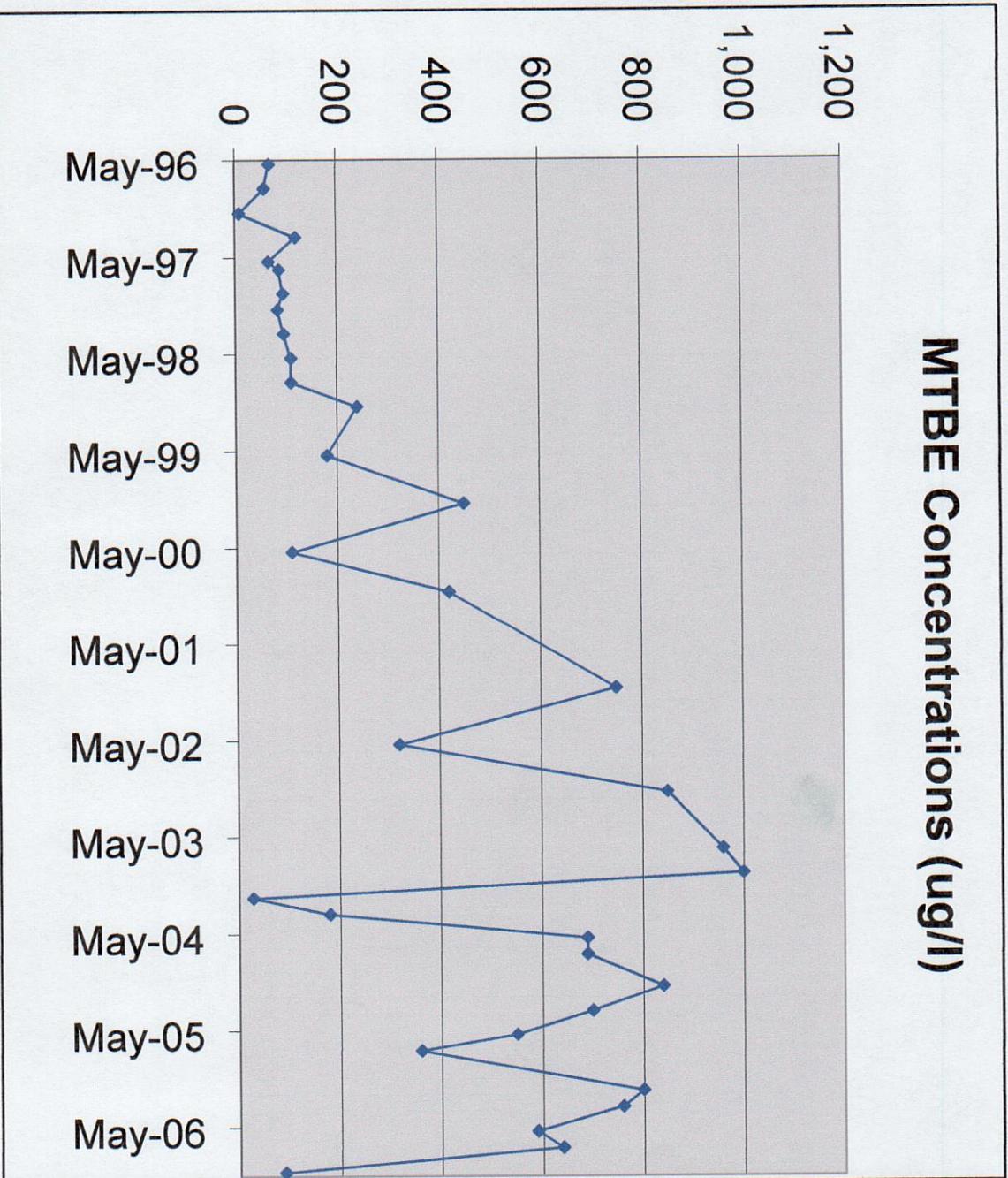
MTBE Concentrations (ug/l)



Sampling Date	TPH as Gasoline
5/16/1996	68
8/29/1996	58
11/25/1996	9.0
2/20/1997	120
5/8/1997	66
6/21/1997	87
9/24/1997	95
11/14/1997	84
2/6/1998	96
5/26/1998	110
8/3/1998	110
11/6/1998	240
5/5/1999	180
11/10/1999	450
5/24/2000	110
10/19/2000	420
10/29/2001	750
5/28/2002	320
11/13/2002	850
6/30/2003	960
9/30/2003	1,000
12/29/2003	28
2/23/2004	180
5/24/2004	690
7/29/2004	690
11/18/2004	840
2/2/2005	700
5/9/2005	550
7/28/2005	360
12/7/2005	800
2/22/2006	760
5/10/2006	590
7/20/2006	640
10/18/2006	90

MONITORING WELL MW-5
May 16, 1996 to October 18, 2006

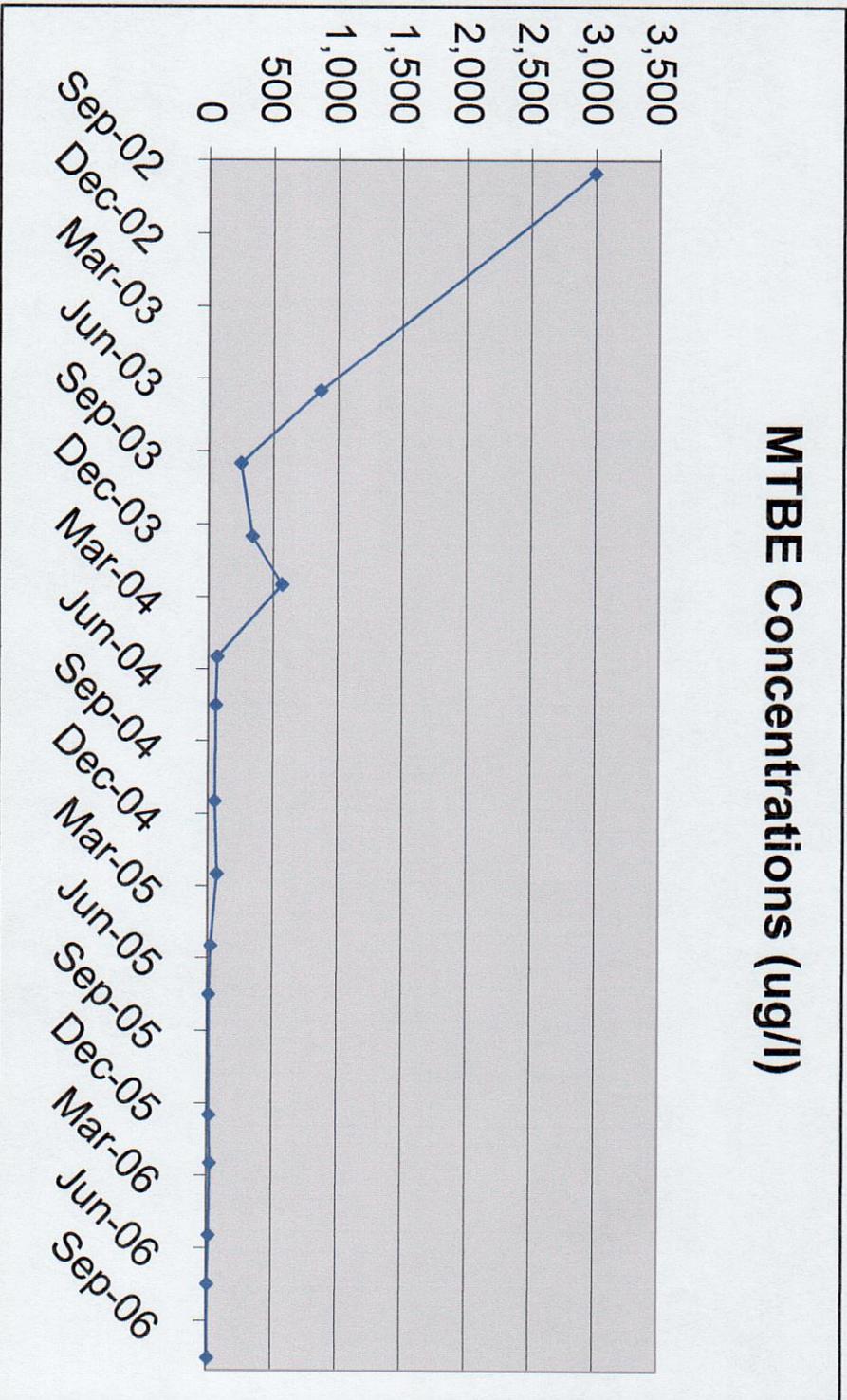
MTBE Concentrations (ug/l)



Sampling Date	TPH as Gasoline
9/20/2002	3,000
6/30/2003	870
9/30/2003	250
12/29/2003	340
2/23/2004	570
5/24/2004	70
7/29/2004	59
11/18/2004	54
2/2/2005	72
5/9/2005	24
7/28/2005	12
12/7/2005	18
2/22/2006	25
5/10/2006	18
7/20/2006	8.0
10/18/2006	11

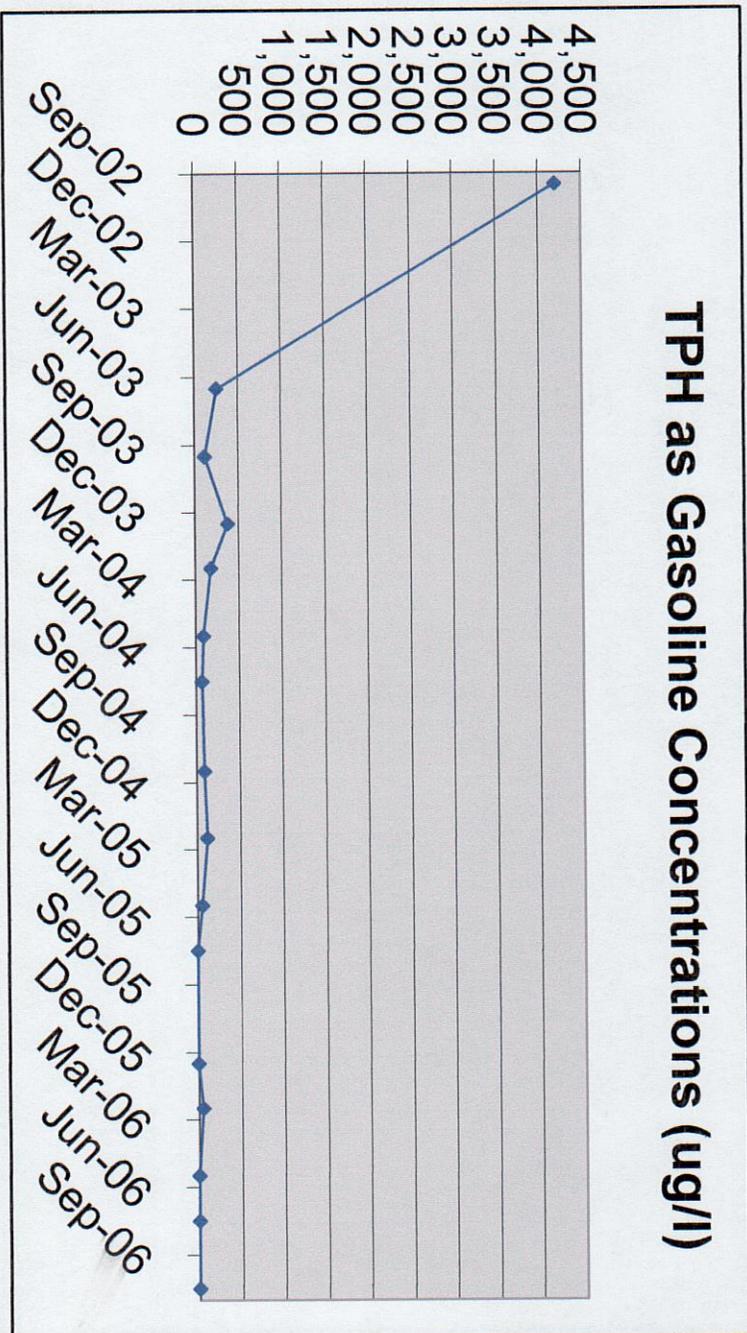
MONITORING WELL MW-8
September 20, 2002 to October 18, 2006

MTBE Concentrations (ug/l)



Sampling Date	TPH as Gasoline
9/20/2002	4,200
6/30/2003	260
9/30/2003	120
12/29/2003	380
2/23/2004	180
5/24/2004	94
7/29/2004	72
11/18/2004	93
2/2/2005	120
5/9/2005	56
7/28/2005	<50
12/7/2005	<50
2/22/2006	51
5/10/2006	<50
7/20/2006	<50
10/18/2006	<50

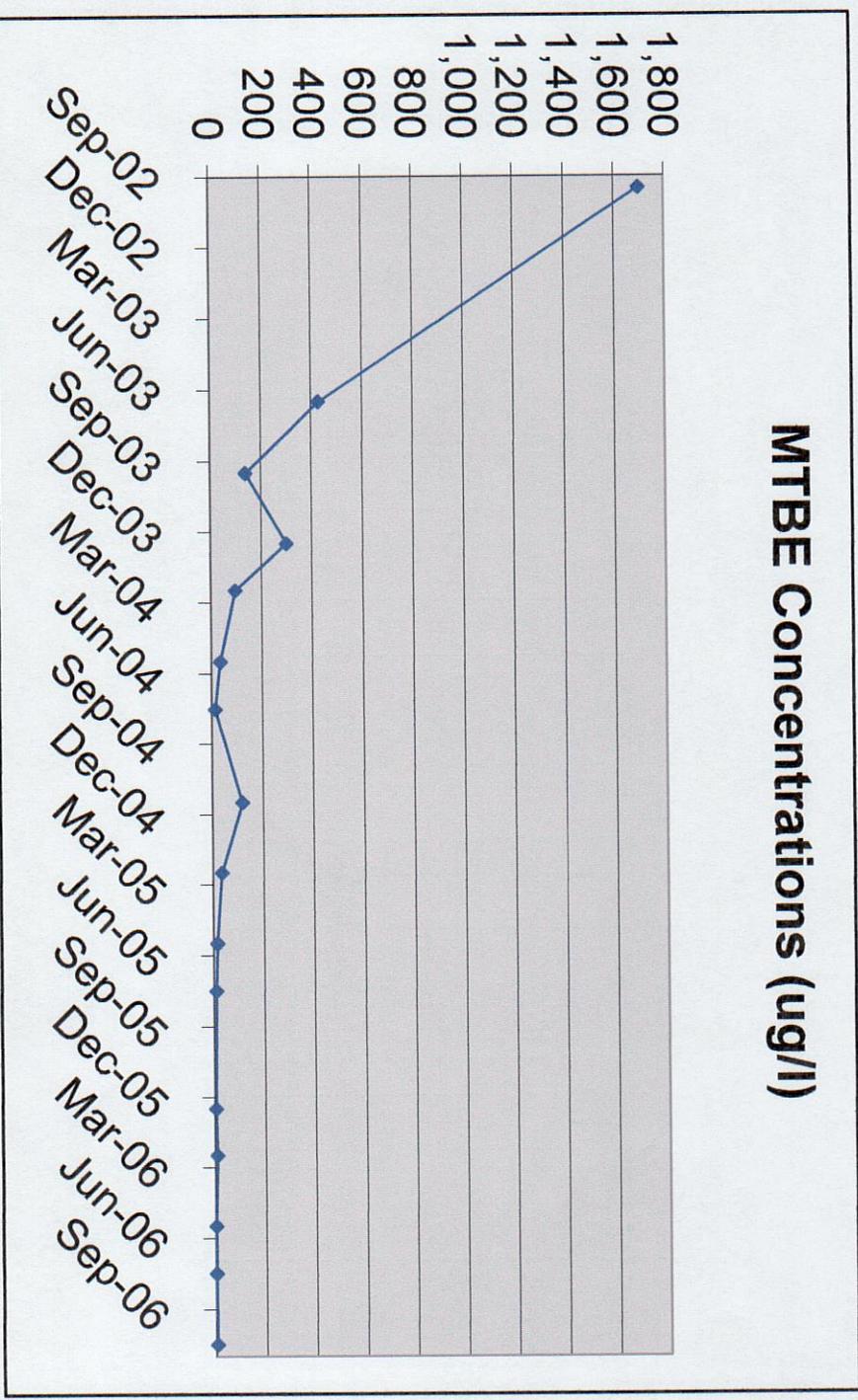
MONITORING WELL MW-9
September 20, 2002 to October 18, 2006



Sampling Date	TPH as Gasoline
9/20/2002	1,700
6/30/2003	430
9/30/2003	140
12/29/2003	300
2/23/2004	97
5/24/2004	36
7/29/2004	15
11/18/2004	120
2/2/2005	36
5/9/2005	17
7/28/2005	12
12/7/2005	7.0
2/22/2006	10
5/10/2006	4.4
7/20/2006	4.0
10/18/2006	6.3

MONITORING WELL MW-9
September 20, 2002 to October 18, 2006

MTBE Concentrations (ug/l)



Ms. Jeanine Townsend
November 2, 2008

Appendix C

Monthly Precipitation, Sonoma California



Western Regional Climate Center



Period of Record Statistics

MEAN	6.26	5.23	4.11	1.79	0.79	0.23	0.03	0.09	0.34	1.63	3.94	5.22	30.01
S.D.	3.99	4.06	3.35	1.55	1.05	0.40	0.14	0.23	0.71	1.89	3.02	3.87	9.66
SKREW	0.98	1.07	1.09	1.27	1.64	2.64	7.06	2.92	3.39	1.68	0.73	0.90	1.05
MAX	20.29	18.89	13.77	6.87	3.90	2.28	1.11	1.02	4.10	9.12	12.95	16.87	63.45
MIN	0.36	0.08	0.03	0.03	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.01	11.34
NO YRS	65	64	61	63	65	66	64	65	63	63	64	65	52

Address:

WRCC
2215 Raggio Parkway
Reno, NV 89512
(775) 674-7010 - phone
(775) 674-7016 - fax

Hours:

Monday - Friday 8am-4pm

wrc@dnr.edu

YEAR(S)	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	ANN
1968	7.34	3.69	3.92	0.27	0.47	0.00	0.00	0.27	0.00	1.98	3.15	7.95	29.04
1969	8.01	9.09	1.66	2.27	0.00	0.10	0.00	0.00	0.00	1.80	1.08	8.23	32.24
1970	16.31	2.93	2.16	0.24	0.00	0.48	0.00	0.00	0.00	1.54	10.71	8.47	42.84
1971	2.43	0.44	3.99	0.74	0.28	0.00	0.00	0.00	0.12	0.23	2.64	6.17	17.04
1972	3.16	2.06	0.26	1.27	0.10	0.22	0.00	0.00	0.85	4.58	6.92	4.29	23.71
1973	13.79	8.60	3.76	0.03	0.05	0.00	0.00	0.00	0.63	1.73	12.95	5.40	46.94
1974	5.34	2.41	6.04	3.05	0.00	0.00	1.11	0.01	0.00	1.39	0.56	4.14	24.05
1975	3.12	10.93	7.34	1.56	0.05	0.05	0.18	0.05	0.00	4.73	1.19	0.89	30.09
1976	0.36	2.78	1.23	1.83	0.02	0.03	0.00	0.98	0.67	0.50	1.92	1.02	11.34
1977	1.74	1.43	2.42	0.22	1.47	0.01	0.00	0.00	0.71	0.62	8.04	6.91	23.57
1978	11.02	6.01	6.19	3.39	0.06	0.00	0.00	0.00	0.40	0.00	2.51	0.77	30.35
1979	12.12	6.81	2.12	1.55	0.56	0.00	0.00	0.00	0.00	0.00z	5.04	6.39	34.59
1980	7.99	10.62	1.55	1.89	0.25	0.14	0.18	0.00	0.00	0.26	0.33	2.39	25.60
1981	5.90	2.15	5.82	0.30	0.21	0.00	0.00	0.00	0.20	2.51	7.49	10.40	34.98
1982	11.97	6.10	8.72	3.69	0.00	0.05	0.00	0.00	1.20	3.15	8.78	3.53	47.19
1983	9.28	13.61	13.77	3.82	0.40	0.00	0.00	0.83	0.66	0.73	9.07	11.28	63.45
1984	0.49	2.48	2.05	1.92	0.00z	0.45	0.01	0.35	0.00	2.48	10.04	1.80	22.07
1985	1.42	3.04	0.00z	0.00z	0.00z	0.00z	0.00z	0.00	0.53	1.36	3.62	2.78	12.75
1986	6.47	14.80	7.62	0.42	0.30	0.00	0.00	0.00	1.28	0.31	0.21	2.35	33.76
1987	5.52	5.22	3.90	0.12	0.21	0.00	0.00	0.00	0.00	1.59	5.08	8.29	29.93
1988	6.54	0.54	0.12	1.67	0.88	0.24	0.00	0.00	0.00	0.19	5.36a	3.88	19.42
1989	1.50	1.61	10.08	0.79	0.06	0.06	0.00	0.00	1.77	2.23	1.71a	0.01	19.82
1990	6.92	3.40	1.43	0.35	3.68	0.00	0.00	0.02	0.05	0.45	0.51	1.26	18.07
1991	0.69	4.19	10.51	0.74	0.16	0.53	0.03	0.36	0.00	3.02	1.23	2.54	24.00
1992	2.21	9.82	7.01	0.90	0.00	0.92	0.00	0.00	0.03	4.47	0.40	9.79	35.55
1993	10.79	7.71	2.67	1.52	2.05b	0.88	0.00a	0.00	0.00	1.82	3.32a	3.13b	33.89
1994	3.35a	5.46	0.23	1.32	1.37	0.05	0.00	0.00	0.59	6.49a	3.91	22.77	
1995	20.29b	0.82	13.29	1.33	1.89	1.04	0.00	0.00	0.00	0.25	9.95	48.86	
1996	8.95	8.27	2.61	3.49	3.37	0.00	0.00	0.00	0.17	2.17	3.49	13.11	45.63
1997	10.35a	0.65	1.02	0.78	0.39	0.27	0.00	1.02	0.21	1.25	7.48	3.55	26.97
1998	12.01a	18.89	2.31	2.35	3.90	0.16	0.00	0.00	0.05	0.85	5.67	1.44	47.63
1999	4.21	11.33	4.13	2.62	0.05	0.03	0.00	0.00	0.12	0.94	3.19	0.88	27.50
2000	5.71	10.80	2.73	2.58	1.72	0.29	0.00	0.02	0.14	2.64	1.21a	1.59	29.43
2001	3.37	4.74	1.73	0.89	0.00	0.05	0.00	0.00	0.35a	0.75	8.58a	10.99a	31.45
2002	3.98a	2.53	2.66	0.48	1.23	0.00	0.00	0.00	0.00	0.00	3.95	9.97a	24.80
2003	2.99c	2.29	2.38	4.67	1.10	0.00	0.00	0.00	0.00	0.00	2.88a	7.95	24.26
2004	3.00a	6.31a	1.06	0.44	0.07	0.00	0.00	0.00	0.11	5.20	2.31a	10.43b	28.93
2005	5.66a	4.36	4.78	1.73	3.73	0.34	0.00	0.00	0.00	0.51	2.39a	15.22a	38.72
2006	5.38a	4.11	8.01	5.43	0.83	0.00	0.00	0.00	0.00	0.55	4.20	4.60	33.11
2007	0.47	5.93	0.03	2.05	0.37	0.00	0.03	0.00	0.15	2.03	0.65a	4.24a	15.95
2008	11.01a	3.82	0.21	0.15	0.21	0.00	0.00z	0.00z	0.00z	0.00z	0.00z	0.00z	15.40

**Corresponds to data published by the Western Regional Climate Center.

Monthly Precipitation, Sonoma California

Comments On The Draft Order By The SWRCB

SWRCB/OCC File POG-230

Point #1

- *Page 9 Paragraph 2 of the Draft Order States:*
- *On October 8, 2002, the secondary containment was tested by Tanknology. The USTs passed, but the product lines from the USTs to the dispensers failed, and the under-dispenser containment failed the test.*
- **This statement is incorrect and gives the false impression that the product lines holding the fuel had a leak.**
- **The Draft Order fails to differentiate between Primary containment and Secondary containment. The Actual failure was related to the Secondary Interstitial piping.**

Point #2

FOLLOW UP TESTING

- **October 23, 2002: Monitoring System was tested and passed**

SONOMA COUNTY CUPA INSPECTION REPORT <input type="checkbox"/> Notice to Comply

Witnessed monitoring system inspection.
3 sumps - all passed
3 analyzer space sensors - all passed
Dispenser 1 - floats present
" 3 - " "
" 5 - " "
① Submit pipeline (primary) and leak detector test results by 12-31-02.
② Submit the SB 989 test results

- **November 14, 2002: Primary Product Lines were tested and passed**

Point #3

- *Page 9 Paragraph 2 of the Draft Order States:*
- *The record indicates that there were repairs made to the under-dispenser containment in January of 2003.*
- **WHITEMAN PETROLEUM MADE THE REFERENCED REPAIRS.**
- **"During the course of these repairs we found no evidence of petroleum product releases at any of the points of repair. Also no repairs were required or made by us to the primary containment system including the primary lines and piping."**

Gary Whiteman

Point #4

- *Page 9 Paragraph 2 of the Draft Order States:*
- *On December 13, 2004, a Tracer Tight® ELD test was performed on the UST system. This test showed that the primary and secondary containment systems for two of the three USTs (regular and premium gasoline) were faulty.*
- **This site was among the first group in Sonoma tested. All four sites failed the test.**

THIS TESTING METHODOLOGY IS NO LONGER USED

- When contacted, CGRS refused to comment on this 2004 test.
- When contacted, Leak Detection Technologies stated that **“Our company will not do offsite remote sampling projects at the ELD sensitivity without a comprehensive pretest, and then we recommend against it.”**

Point #5

- *Page 9 Paragraph 2 of the Draft Order States:*
- *On January 25, 2006, a second ELD test was performed on the regular and plus USTs. The premium UST was not re-tested.*
- **Fact: All three tanks were re-tested including the premium tank**

Point #6

- *Page 9 Paragraph 2 of the Draft Order States:*
- *The USTs passed, but the testing summary states that: "[d]etected leaks were repaired by contractor and re-tested tight before the end of the testing event.*
 - **THIS IS A SUMMARY STATEMENT ONLY.**
 - **WHAT WERE THE REPAIRS ?**
SOAP, WATER, VISUAL VERIFICATION
AND
SHRINK WRAP
- See the following Leak Log for complete details of recorded leaks and resolutions:

LEAK LOG			Job#	38713EL			SWO #	0
Site:	Sonoma Super Saver		Client:	Shirley Environmental		Client Contact	April Weemes	
Site Address:	18618 Sonoma Hwy		Sonoma Ca 95476		Contact #	(909) 467-7443		
Log Completed By:	Kevin Ashley							
Date:	Leak/Pass	Time	ITEM	Test	Tested	Sample ID	Concentration: (ug/L - ppm - psig)	Description (How collected, Volume Collected, Complete Notes)
01/23/06	1a	11:36	BU	89 TK	TS	Note	50 ppm	Dectected with heliest will investigate
01/23/06	2a	11:45	BU	89 TK	TS	Note	Note	Used soap and water found no visible signs of bubbles to indicate a leak. Wrapped vapor recover line with shrink wrap.
01/23/06	1b	19:17	Final	89 TK	TS	89 TS	A = 0.0005 ug/l	Sample collected at 19:04 will investigate
01/24/06	2b	8:45	Final	89 TK	Note	Note	Note	Wrapped flex hose with shrink wrap found no visible leaks with soap and water
01/24/06	1c	9:59	Final	87 TK	ATG	87 ATG	A = 0.0026 ug/l	Sample collected at 9:45 will investigate
01/24/06	2c	15:20	Final	Note	Note	Note	Note	1 } During inoculation the lids to the tank interstitial were exposed. With the wind direction we believe there was some contamination into the tank, as well as the soil around the fill riser we resample the interstitial, and vp no increase in rate

Leak log and resolution contractor notes

1. This Comment was referring to the inoculated tracer gas possibly escaping in the wind condition.

Sonoma County Department of Emergency Services inspection form October 8, 2002

• This is submitted as evidence that Sonoma County had access to this information based on this inspection report, indicating that a Sonoma County Inspector was present for the October 8th, 2002 SB 989 test.



COUNTY OF SONOMA
DEPARTMENT OF EMERGENCY SERVICES
FIRE SERVICES • EMERGENCY MANAGEMENT • HAZARDOUS MATERIALS

VERNON A. LOSH II, DIRECTOR

SONOMA COUNTY CUPA INSPECTION REPORT

Notice to Comply

HazWaste Generator Hazardous Materials UGT ABST UFC RMPP

BUSINESS NAME: (Ultramer) Cal Food & Fuel PHONE: 996-5004
 ADDRESS: 18618 Sonoma Hwy CITY: Sonoma
 CONDITIONS DISCUSSED WITH: Saied Molavi
 PERMIT NUMBER: 37 DATE: 10-8-02

CODE	DESCRIPTION	DATE CORRECTED
	SB 989 testing	
	Mike Worly - Technology	
	3 UST all passed	
	3 pressurized pipelines all FAILED	
	3 sumps (pipings) Supreme Failed	
	Reg + Midgrade passed	
	Dispenser 1 - not present	
	" 3 - "	
	" 5 - "	
①	Apply for repair permit by 11-8-02. Repair 11 reg. sump, and any other failures (dispensers if failed) by 1-30-03.	

Inspector: [Signature] Date: 10-8-02
 Received by: [Signature] Date: _____

Submit information to this office confirming actions taken to correct violations in thirty (30) days of this notice.

Tanknology-October 8, 2002

SB-989 SECONDARY CONTAINMENT SUMMARY RESULTS

Tanknology

TEST DATE: 10/28/2002 WORK ORDER NO: 2224041

CLIENT: ALPHA PETROLEUM SITE: CALIFORNIA FOOD & FUEL
 P.O. BOX 447 18418 SONOMA HWY

DIXON CA 95620 SONOMA CA 95474

TIM STORNETTA 707-478-8100

Ullman

Tank Interstitial Tests

PRODUCT	MANUFACTURER	TANK RESULTS
SUPRME	TYNCO	PASS
FLOS	TYNCO	PASS
880 UNLEAD	TYNCO	PASS

Piping Interstitial Tests

PRODUCT	MANUFACTURER	LINE RESULTS
880	Smith	FAIL
FLOS	Smith	FAIL
SUP	Smith	FAIL

Sump & Under-Dispenser Containment Tests

Sump DISP #	MANUFACTURER	PF	Sump DISP #	MANUFACTURER	PF	Sump DISP #	MANUFACTURER	PF
880		Fail						
FLOS		Pass						
880		Pass						
1/2	Arvo	Fail						
3/4	Arvo	Fail						
5/8	Arvo	Fail						

Tanknology representative: MARK SHAW

Services conducted by: MICHAEL WORLEY

- SECONDARY CONTAINMENT TESTING REQUIRED UNDER REG SB989
- SECONDARY CONTAINMENT ON UST'S PASSED ON ALL THREE PRODUCTS
- SECONDARY PIPING FAILED ON ALL THREE PRODUCTS
- ONE PRODUCT SUMP(SUPER) AND ALL SECONDARY UNDER DISPENSER CONTAINMENT FAILED

Sonoma County Department of Emergency Services- October 23rd, 2002



COUNTY OF SONOMA
DEPARTMENT OF EMERGENCY SERVICES
FIRE SERVICES • EMERGENCY MANAGEMENT • HAZARDOUS MATERIALS

VERNON A. LOSH II, DIRECTOR

SONOMA COUNTY CUPA INSPECTION REPORT

Notice to Comply

HazWaste Generator Hazardous Materials UGT ABST UFC RMPP

BUSINESS NAME: Ultramar - Cal Food & Fuel PHONE: _____
 ADDRESS: 18 618 San Hwy CITY: Sonoma
 CONDITIONS DISCUSSED WITH: Saeed Malavi
 PERMIT NUMBER: 37 DATE: 10-23-02

CODE	DESCRIPTION	DATE CORRECTED
	Witnessed monitoring system inspection.	
	3 sumps - all passed	
	3 annular space sensors - all passed	
	Dispenser 1 - floats present	
	" 3 - " "	
	" 5 - " "	
	① Submit pipeline (primary) and leak detector test results by 12-31-02.	
	② Submit the SB 989 test results	

Inspector: [Signature] Date: 10-23-02
 Received by: [Signature] Date: 10/27/02

Submit information to this office confirming actions taken to correct violations
 in thirty (30) days of this notice.

SONOMA CO. INSPECTOR WITNESSED LEAK DETECTION MONITORING SYSTEM INSPECTION INDICATING THAT ALL LEAK DETECTION MONITORING SYSTEMS WERE WORKING. INCLUDING ALL THE AREAS THAT FAILED THE SECONDARY CONTAINMENT TEST ON OCTOBER 8TH, 2002.

Monitoring Certification

October 23rd, 2002

MONITORING SYSTEM CERTIFICATION

For Use By All Jurisdictions Within the State of California

Authority Cited: Chapter 6.7, Health and Safety Code; Chapter 16, Division 3, Title 23, California Code of Regulations

This form must be used to document testing and servicing of monitoring equipment. A separate certification or report must be prepared for each monitoring system control panel by the technician who performs the work. A copy of this form must be provided to the tank system owner/operator. The owner/operator must submit a copy of this form to the local agency regulating UST systems within 30 days of test date.

A. General Information

Facility Name: California Food & Fuel Bldg. No.: _____
 Site Address: 18618 Arroyo Hwy City: Arroyo Zip: _____
 Facility Contact Person: _____ Contact Phone No.: (_____) _____
 Make/Model of Monitoring System: TLS 250 Date of Testing/Servicing: 10 23 02

B. Inventory of Equipment Tested/Certified

Check the appropriate boxes to indicate specific equipment inspected/serviced:

Tank ID: <u>#1 RJA</u> <input checked="" type="checkbox"/> In-Tank Gauging Probe. Model: <u>VR</u> <input checked="" type="checkbox"/> Annular Space or Vault Sensor. Model: <u>VR Bell</u> <input checked="" type="checkbox"/> Piping Sump / Trench Sensor(s). Model: <u>VR</u> <input type="checkbox"/> Fill Sump Sensor(s). Model: _____ <input checked="" type="checkbox"/> Mechanical Line Leak Detector. Model: _____ <input type="checkbox"/> Electronic Line Leak Detector. Model: _____ <input type="checkbox"/> Tank Overfill / High-Level Sensor. Model: _____ <input type="checkbox"/> Other (specify equipment type and model in Section E on Page 2).	Tank ID: <u>#2 plus</u> <input checked="" type="checkbox"/> In-Tank Gauging Probe. Model: <u>VR</u> <input checked="" type="checkbox"/> Annular Space or Vault Sensor. Model: <u>VR Bell</u> <input checked="" type="checkbox"/> Piping Sump / Trench Sensor(s). Model: <u>VR</u> <input type="checkbox"/> Fill Sump Sensor(s). Model: _____ <input checked="" type="checkbox"/> Mechanical Line Leak Detector. Model: _____ <input type="checkbox"/> Electronic Line Leak Detector. Model: _____ <input type="checkbox"/> Tank Overfill / High-Level Sensor. Model: _____ <input type="checkbox"/> Other (specify equipment type and model in Section E on Page 2).
Tank ID: <u>#3 Supreme</u> <input checked="" type="checkbox"/> In-Tank Gauging Probe. Model: <u>VR</u> <input checked="" type="checkbox"/> Annular Space or Vault Sensor. Model: <u>VR Bell</u> <input checked="" type="checkbox"/> Piping Sump / Trench Sensor(s). Model: <u>VR</u> <input type="checkbox"/> Fill Sump Sensor(s). Model: _____ <input checked="" type="checkbox"/> Mechanical Line Leak Detector. Model: _____ <input type="checkbox"/> Electronic Line Leak Detector. Model: _____ <input type="checkbox"/> Tank Overfill / High-Level Sensor. Model: _____ <input type="checkbox"/> Other (specify equipment type and model in Section E on Page 2).	Tank ID: _____ <input type="checkbox"/> In-Tank Gauging Probe. Model: _____ <input type="checkbox"/> Annular Space or Vault Sensor. Model: _____ <input type="checkbox"/> Piping Sump / Trench Sensor(s). Model: _____ <input type="checkbox"/> Fill Sump Sensor(s). Model: _____ <input type="checkbox"/> Mechanical Line Leak Detector. Model: _____ <input type="checkbox"/> Electronic Line Leak Detector. Model: _____ <input type="checkbox"/> Tank Overfill / High-Level Sensor. Model: _____ <input type="checkbox"/> Other (specify equipment type and model in Section E on Page 2).
Dispenser ID: <u>#142</u> <input type="checkbox"/> Dispenser Containment Sensor(s). Model: _____ <input checked="" type="checkbox"/> Shear Valve(s). <input checked="" type="checkbox"/> Dispenser Containment Float(s) and Chain(s).	Dispenser ID: <u>#344</u> <input type="checkbox"/> Dispenser Containment Sensor(s). Model: _____ <input checked="" type="checkbox"/> Shear Valve(s). <input checked="" type="checkbox"/> Dispenser Containment Float(s) and Chain(s).
Dispenser ID: <u>#546</u> <input type="checkbox"/> Dispenser Containment Sensor(s). Model: _____ <input checked="" type="checkbox"/> Shear Valve(s). <input checked="" type="checkbox"/> Dispenser Containment Float(s) and Chain(s).	Dispenser ID: _____ <input type="checkbox"/> Dispenser Containment Sensor(s). Model: _____ <input type="checkbox"/> Shear Valve(s). <input type="checkbox"/> Dispenser Containment Float(s) and Chain(s).

* If the facility contains more tanks or dispensers, copy this form. Include information for every tank and dispenser at the facility.

C. Certification - I certify that the equipment identified in this document was inspected/serviced in accordance with the manufacturer's guidelines. Attached to this Certification is information (e.g. manufacturers' checklists) necessary to verify that this information is correct and a Plot Plan showing the layout of monitoring equipment. For any equipment capable of generating such reports, I have also attached a copy of the report; (check all that apply):
 System set-up Alarm history report

Technician Name (print): LARRY WILLIAMS Signature: Larry Williams
 Certification No.: _____ License No.: 550064063
 Testing Company Name: Alpha Petroleum Phone No.: (707) 678-8100
 Site Address: 18618 Arroyo Hwy Arroyo Date of Testing/Servicing: 10 23 02

Monitoring System Certification

D. Results of Testing/Servicing

Software Version Installed: _____

Complete the following checklist:

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No*	Is the audible alarm operational?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No*	Is the visual alarm operational?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No*	Were all sensors visually inspected, functionally tested, and confirmed operational?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No*	Were all sensors installed at lowest point of secondary containment and positioned so that other equipment will not interfere with their proper operation?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No*	If alarms are relayed to a remote monitoring station, is all communications equipment (e.g. modem) operational?
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No*	For pressurized piping systems, does the turbine automatically shut down if the piping secondary containment monitoring system detects a leak, fails to operate, or is electrically disconnected? If yes: which sensors are on positive shut-down? (Check all that apply) <input type="checkbox"/> Sump/Trench Sensors; <input type="checkbox"/> Dispenser Containment Sensors
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No*	Did you confirm positive shut-down due to leaks and sensor failure/disconnection? <input type="checkbox"/> Yes; <input checked="" type="checkbox"/> No
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No*	For tank systems that utilize the monitoring system as the primary tank overflow warning device (i.e. mechanical overflow prevention valve is installed), is the overflow warning alarm visible and audible at the tank fill point(s) and operating properly? If so, at what percent of tank capacity does the alarm trigger?
<input type="checkbox"/> Yes*	<input checked="" type="checkbox"/> No	Was any monitoring equipment replaced? If yes, identify specific sensors, probes, or other equipment replaced and list the manufacturer name and model for all replacement parts in Section E, below.
<input type="checkbox"/> Yes*	<input checked="" type="checkbox"/> No	Was liquid found inside any secondary containment systems designed as dry systems? (Check all that apply) <input type="checkbox"/> Product; <input type="checkbox"/> Water. If yes, describe causes in Section E, below.
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No*	Was monitoring system set-up reviewed to ensure proper settings? Attach set up reports, if applicable
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No*	Is all monitoring equipment operational per manufacturer's specifications?

* In Section E below, describe how and when these deficiencies were or will be corrected.

E. Comments:

Monitoring System Certification

F. In-Tank Gauging / SIR Equipment:

- Check this box if tank gauging is used only for inventory control.
 Check this box if no tank gauging or SIR equipment is installed.

This section must be completed if in-tank gauging equipment is used to perform leak detection monitoring.

Complete the following checklist:

<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No*	Has all input wiring been inspected for proper entry and termination, including testing for ground faults?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No*	Were all tank gauging probes visually inspected for damage and residue buildup?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No*	Was accuracy of system product level readings tested?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No*	Was accuracy of system water level readings tested?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No*	Were all probes reinstalled properly?
<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No*	Were all items on the equipment manufacturer's maintenance checklist completed?

* In the Section H, below, describe how and when these deficiencies were or will be corrected.

G. Line Leak Detectors (LLD):

- Check this box if LLDs are not installed.

Complete the following checklist:

<input type="checkbox"/> Yes	<input type="checkbox"/> No*	For equipment start-up or annual equipment certification, was a leak simulated to verify LLD performance? (Check all that apply) Simulated leak rate: <input type="checkbox"/> 3 g.p.h.; <input type="checkbox"/> 0.1 g.p.h.; <input type="checkbox"/> 0.2 g.p.h.
<input type="checkbox"/> Yes	<input type="checkbox"/> No*	Were all LLDs confirmed operational and accurate within regulatory requirements?
<input type="checkbox"/> Yes	<input type="checkbox"/> No*	Was the testing apparatus properly calibrated?
<input type="checkbox"/> Yes	<input type="checkbox"/> No*	For mechanical LLDs, does the LLD restrict product flow if it detects a leak?
<input type="checkbox"/> Yes	<input type="checkbox"/> No*	For electronic LLDs, does the turbine automatically shut off if the LLD detects a leak?
<input type="checkbox"/> Yes	<input type="checkbox"/> No*	For electronic LLDs, does the turbine automatically shut off if any portion of the monitoring system is disabled or disconnected?
<input type="checkbox"/> Yes	<input type="checkbox"/> No*	For electronic LLDs, does the turbine automatically shut off if any portion of the monitoring system malfunctions or fails a test?
<input type="checkbox"/> Yes	<input type="checkbox"/> No*	For electronic LLDs, have all accessible wiring connections been visually inspected?
<input type="checkbox"/> Yes	<input type="checkbox"/> No*	Were all items on the equipment manufacturer's maintenance checklist completed?

* In the Section H, below, describe how and when these deficiencies were or will be corrected.

Tank-Tek- November 14, 2002

•TEST PRODUCT LINES AND LEAK DETECTORS OF THE UST SYSTEM TO INSURE THAT BECAUSE OF THE OCTOBER 8, 2002 SECONDARY CONTAINMENT FAILURE THAT THOSE COMPONENTS OF THE PRIMARY CONTAINMENT WERE TIGHT.

•ALL PASSED-NO REPAIRS REQUIRED

TANK-TEK

Location : CALIFORNIA FOOD & FUEL 18618 SONOMA HWY SONOMA, CA 95476		Work Order 02111401-1	Date NOV 14/02
Facility # : #2 BILL TO : CALIFORNIA FOOD & FUEL Contact : SAIED MOLAVI		SONOMA COUNTY DEPARTMENT OF EMERGENCY SERVICES	
		Annual Inspection <input checked="" type="checkbox"/> Retest	
		Post Construction <input type="checkbox"/> For Sale	<input type="checkbox"/> Inspection

Tank Test — Alert 1000

Tank	Tank Capacity Gallons	Product Grade	Product Level Inches %	Pressure Tank Bottom PSI	Test Time		Final Leak Rate	
					Start	End	G/H	Pass/Fail
1		REGULAR						
2		SUPER						
3		PLUS						
4								
5								

Tank	Ullage (Alert 1050X) Time		Ullage Pressure PSI		Ullage Results
	Start	End	Begin	End	Pass/Fail
1					
2					
3					
4					
5					

Line	Type		Steel Fiberglass ST or FG	Test Pressure PSI	Test Time		Readings G/H			Final Leak Rate	
	P	S			Start	End	10 min	20 min	30 min	G/H	Pass/Fail
1	X		FG	50	7:00 AM	7:30 AM	.0015	.0075	.0000	.0000	PASS
2	X		FG	50	7:35 AM	8:05 AM	.0075	.0000	.0000	.0000	PASS
3	X		FG	50	8:10 AM	8:40 AM	.0075	.0075	.0000	.0000	PASS
4											
5											

Leak Detector — Red Jacket FTA

LD	Model	Serial Number	Leak Rate Calibration	Pass Fail
1	XLP	7578	3 G/H	PASS
2	FXI	3504	3 G/H	PASS
3	XLP	7580	3 G/H	PASS
	STP MLD	02040386	3 G/H	PASS

Monitor Wells

Well	Well Depth	Water Depth	Hydrocarbon (inches)	
1			YES	NO
2			YES	NO
3			YES	NO
4			YES	NO
5			YES	NO

Purchase Order	Contract #	Time of test	Technician	Signature	License
		7:00 AM	PHIL ROOMS		CA: 90-1052 NV: UTT-1083 OR: 17122

TANK-TEK ENVIRONMENTAL CORPORATION

WHITEMAN PETROLEUM

JANUARY 2003

REPAIRS MADE TO THE SECONDARY CONTAINMENT:

- **Under dispenser teleflex secondary containment boot and clamps**
- **Dispenser pans lake tested for leaks**

Secondary Containment Repair Permit

COUNTY OF SONOMA DEPARTMENT OF EMERGENCY SERVICES
 2300 COUNTY CENTER DRIVE, SUITE 221A, SANTA ROSA, CA 95403
 707/845-1182 PHONE 707/845-1172 FAX

APPLICATION FOR PERMIT TO: PERMIT# 37 *pd check 2119 \$293.c*

Pressure loss detector test Tank piping integrity test Renewal/Extension Closure
 Clearance New/Replacement Repair/Modify (leak detection, product lines, etc)

THIS PERMIT MUST BE SIGNED BY THE PRIMARY CONTRACTOR

FACILITY NAME ULTRAMAR-CALFOODLEVEL PHONE _____
 ADDRESS 18618 SONOMA HWY CITY/ZIP SONOMA 95476
 ASSESSOR'S PARCEL # _____ FIRE DISTRICT SONOMA
 OWNER NAME SAIED MDLAWI PHONE 707-996-5004
 ADDRESS SAME CITY/STATE/ZIP _____
 OPERATOR NAME SAME PHONE _____
 ADDRESS SAME CITY/STATE/ZIP _____

PRIMARY CONTRACTOR NAME WILKINSON PETROLEUM PHONE 707-830-1307
 LICENSE TYPE & # A-442 DATE 10/2/03 WORKERS COMP POLICY # 167721-02
 ADDRESS 140 ELIZABETH CIRCLE CITY/STATE/ZIP WINDSOR CA 95971
 SUBCONTRACTOR NAME N/A PHONE _____
 LICENSE TYPE & # _____ DATE _____ WORKERS COMP POLICY # _____
 ADDRESS _____ CITY/STATE/ZIP _____

TERMS OF PERMIT
 APPLICANT AGREES THAT:

- 1) Dept. of Emergency Services Fire Inspector will be notified a minimum of 48 hours prior to commencing work.
- 2) Dept. of Emergency Services Fire Inspector inspection will be obtained 48 hours prior to covering the work (where applicable).
- 3) Any deviation from approved plan/permit without prior approval of the Director of Emergency Services will be cause for stopping work until the changes are fully justified and approved.
- 4) This permit is subject to revocation if found to be in nonconformance with Sonoma County Code or standards of the Dept. of Emergency Services
- 5) I, the undersigned applicant, hereby authorize _____ to release any and all analytical results, geotechnical data and site assessment information to the County of Sonoma Dept. of Emergency Services as soon as it is available and is provided to me or my representative.
- 6) Primary contractor shall subcontract only as provided by the requirements of the Business & Professions Code and those requirements of the Contractor's Licensing Board.
- 7) Additional items _____

It is understood that the issuance of a permit in no way indicates that a guarantee of perfect and indefinite operation is made by the County of Sonoma, Dept. of Emergency Services. I hereby acknowledge that I have read this application and state that the above is correct and agree to comply with all County ordinances and State laws regarding underground storage tanks. This permit shall expire by limitation if work authorized is not commenced within 365 days.

[Signature] 12/18/02
 Signature of Primary Contractor Date

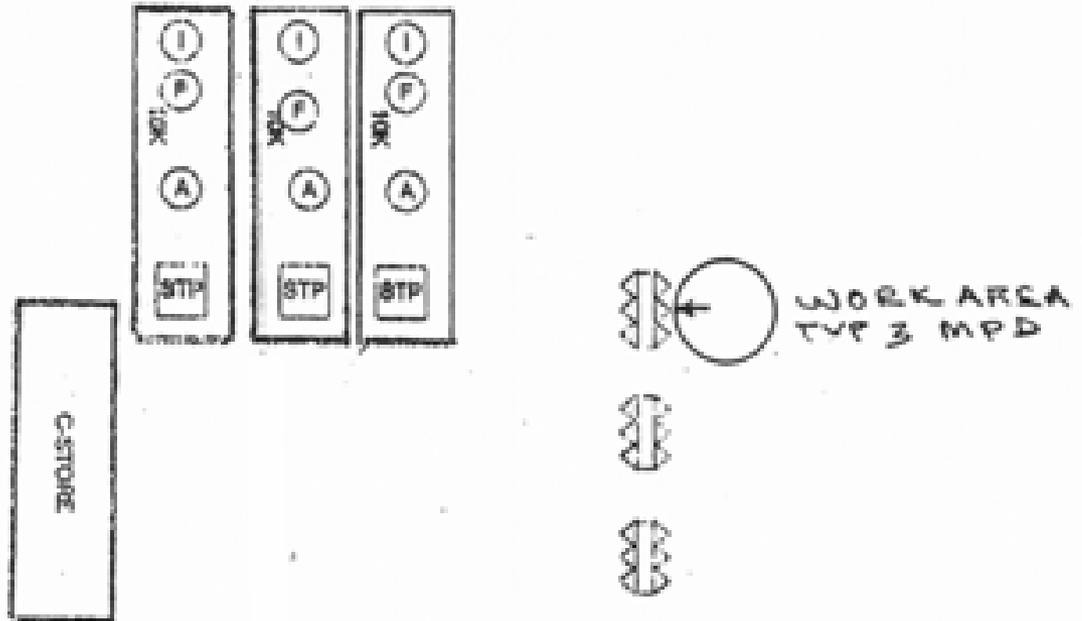
PLAN APPROVED BY: [Signature] DATE 1-14-03
 CONSTRUCTION APPROVED BY: _____ DATE _____

NOT TRANSFERABLE WHEN APPROVED, THIS IS YOUR PERMIT SEE REVERSE SIDE

Secondary Containment Repair Permit

SCOPE:

BREAK OUT CONCRETE
AT FRONT OF EACH
MPD DISPENSER.
REPLACE FLEX HOSE
TEST BOOTS ON EACH
PRODUCT LINE. (TYP 900)
RETEST DOUBLE WALL
PIPING.

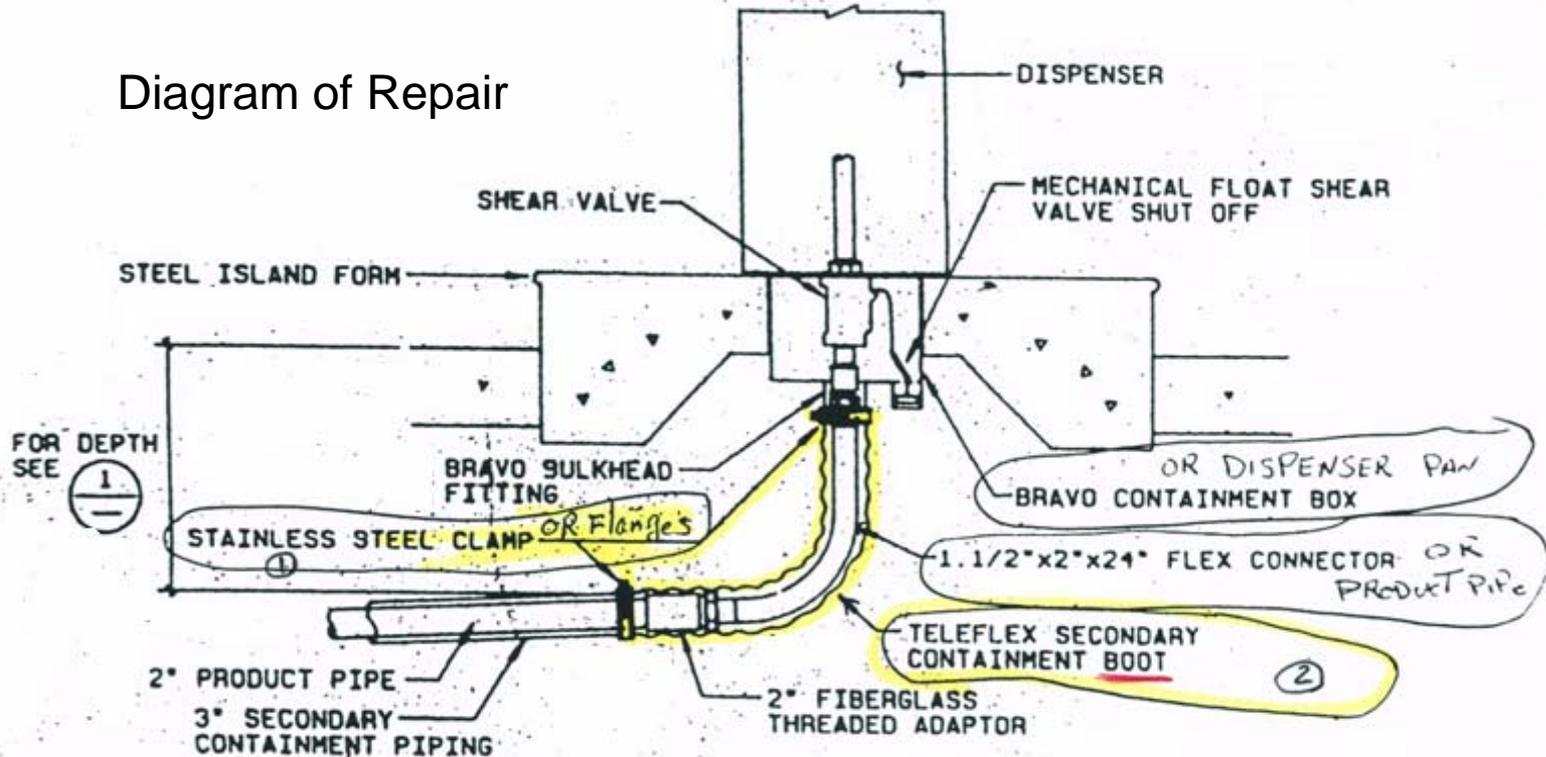


FORM NO. 10740002 11/21 409LME V2R

CALIFORNIA FOOD & FUEL
18618 SONOMA HWY SONOMA, CA.

Whiteman Petroleum- January 2003

Diagram of Repair



- ① Remove Steel Clamp or Flanges From Dispenser PAN.
- ② Remove and Replace SECONDARY CONTAINMENT BOOTS only.
- ③ TEST SECONDARY CONTAINMENT.

③ **PRODUCT DISPENSER SECTION FOR NEW INSTALLATIONS**
3/4" = 1'

Contractor's Statement and Scope of Work

WHITEMAN PETROLEUM, INC.

140 ELSBREE CIRCLE WINDSOR CA 95492

CONTRACTOR'S #542257

707/838-1807

July 3, 2007

Mr. Saied Molavi
Sonoma Super Gas
18618 Sonoma Highway
Sonoma, CA 95476

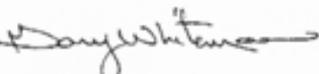
Dear Mr. Molavi,

This letter is intended to document the scope of the repairs that Whiteman Petroleum Inc conducted on the underground tank system at your 18618 Sonoma Highway property on January 20, 2003. The scope of work performed was to the secondary containment boots under the dispenser pans and was conducted to correct a pressure test failure to the secondary containment system that occurred on October 8, 2002.

During the course of these repairs we found no evidence of petroleum product releases at any of the points of repair. Also no repairs were required or made by us to the primary containment system including the primary lines and piping, all repairs that we made were to the secondary containment system.

If you have any questions or required further information regarding the above please call me at 707/ 838-1807.

Sincerely,



Gary Whiteman
President

whiteman Petroleum, Inc.

140 Elsbree Circle
Windsor, CA 95492
707/838-1807

INVOICE # 741

INVOICE DATE: 02/05/03

DUE DATE: AMOUNT DUE
UPON RECEIPT

INVOICE

BILL TO:

Saied Molive
Cal. Food and Fuel
18805 Sonoma Ave
Sonoma, CA 95476

JOB: 2282

Saied Molive

6300 #2

DESCRIPTION	QUANTITY	PRICE	AMOUNT
Permit So. Co. Emergency Services			293.00
12/12/02 Caulk piping penetrations. Test secondary piping. Lake test dispenser pans.			
Dennis Taipale	6.00hrs	65.000 / hrs	390.00
Dave Daniels	6.00hrs	58.000 / hrs	348.00
Dave Daniels	4.00hrs	58.000 / hrs	232.00
Utility truck	2.00ea	20.000 / ea	40.00
01/20/03 Jack Hammer and remove concrete Haul concrete to dump. Excavate to piping.			
Dennis Taipale	8.00hrs	65.000 / hrs	520.00
Dave Daniels	8.00hrs	58.000 / hrs	464.00
Luis Bedoya	8.00hrs	58.000 / hrs	464.00
Dave Taipale	8.00hrs	55.000 / hrs	440.00
Rocco Cacharellis	8.00hrs	40.000 / hrs	320.00
Utility Trucks	6.00ea	20.000 / ea	120.00
Air Compressor	4.00hrs	25.000 / hrs	100.00
Dump Truck Hertz 4253217			217.55
01/21/03 Excavate to piping. Test to find leaks Remove boots and flanges at dispenser pans			
David Taipale	8.00hrs	55.000 / hrs	440.00
Dave Daniels	8.00hrs	58.000 / hrs	464.00

Invoices not paid by due date will incur interest charges equal to 1.5% monthlv. APR18%.

Tanknology- March 19, 2003

SB-989 SECONDARY CONTAINMENT SUMMARY RESULTS



TEST DATE: 03/19/2003

WORK ORDER NO.: 2225884

CLIENT: CALIFORNIA FOOD & FUEL
18405 SONOMA HWY

SITE: CALIFORNIA FOOD & FUEL
18418 SONOMA

SONOMA CA 95476
SAJED MOJAVI
707-996-5004

SONOMA CA 95476

Tank Interstitial Tests

PRODUCT	MANUFACTURER	TANK RESULTS
UNLEADED SUPREME PLUS		

Piping Interstitial Tests

PRODUCT	MANUFACTURER	LINE RESULTS
UNL PLUS SUPREME	Smith	PASS
	Smith	PASS
	Smith	PASS

Sump & Under-Dispenser Containment Tests

Sump DISP #	MANUFACTURER	PIF
PREM	Smith	Pass
1/2	Bravo	Pass
3/4	Bravo	Pass
5/6	Bravo	Pass

Sump
under
dispenser

•SECONDARY CONTAINMENT COMPONENTS THAT FAILED ON OCTOBER 8, 2002 WERE RE-TESTED AND PASSED

SITE DIAGRAM



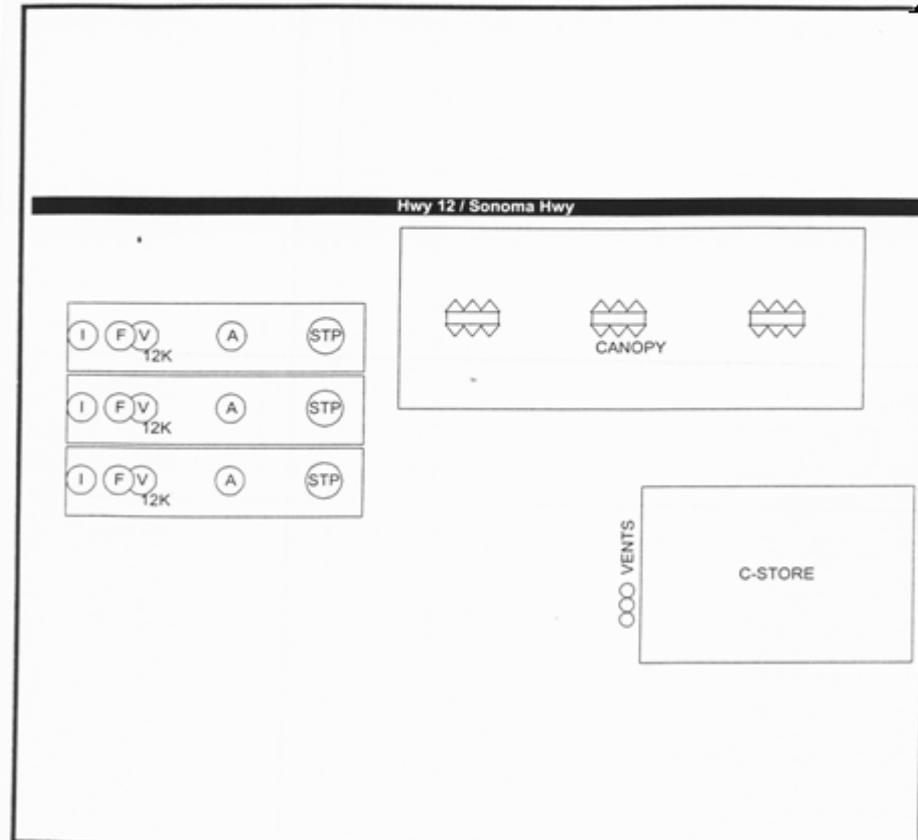
8000 SHOAL CREEK, BUILDING 200
AUSTIN, TEXAS 78757
(512) 451-6334
FAX (512) 450-1450

TEST DATE: 03/19/03

WORK ORDER NUMBER: 2225884

CLIENT: CALIFORNIA FOOD & FUEL

SITE: CALIFORNIA FOOD & FUEL



Comments on Draft Order Testing Conclusions

- The Draft Order as stated fails to address the issue that the failures of the October 8th, 2002 SB989 test **does not conclude** that there was a release. Based on the results of the subsequent testing of the Leak Monitoring Equipment on 10/23/08 (no where is this test mentioned in the Draft) and the testing of the Primary product lines on 11/14/02 substantiates the conclusion that there was no confirmed release as a result of the October 8th, 2002 test failure. The Draft should support this conclusion as this is one of the lines of evidence used by the Petitioner. In addition the Draft document should change the terminology used on page 9 paragraph 2 that states

"the product lines from the USTs to the dispensers failed". This is not accurate terminology and is misleading. **This was not product lines it was the secondary Interstitial piping that failed.** The product lines passed as evidenced in the November 14, 2002 Product Line Test.

Test Summary

Offsite Remote Sampling ELD Test

Investigation revealed this test is no longer conducted without a pre-test. The two licensed ELD testers listed on the California EPA website CGRS and Leak Detection Technologies, do not do this type of test without a pre-test.

When contacted, CGRS refused to comment on this 2004 test.

When contacted, Leak Detection Technologies stated that "Our company will not do offsite remote sampling projects at the ELD sensitivity without a comprehensive pretest, and then we recommend against it."



TRACER TIGHT® TEST RESULTS

CGRS
P.O. Box 1489
Ft. Collins, CO 80524

12/13/2004
Job No: 870021
Sonoma Super Gas / Beacon #106
18618 Sonoma Highway
Sonoma, CA 95476

SYSTEM STATUS

SYSTEM#	PRODUCT	SIZE	TRACER	SYSTEM STATUS
Tank 1	87	10,000	W	FAIL
Tank 2	91	10,000	G	FAIL
Tank 3	89	10,000	R	PASS

Soil permeability is greater than 89.1 darcys.

GROUND WATER AND PRODUCT INFO

SYSTEM#	AT INOCULATION 11/05/04		AT SAMPLING 11/15/04		DEPTH FROM GRADE		
	H2O (in)	PROD (in)	H2O (in)	PROD (in)	WATER TABLE (in)	TANK BOTTOM (in)	TANK TOP (in)
Tank 1	0.00	34.90	0.00	34.60	>141	177	81
Tank 2	0.00	41.80	0.00	36.70	>141	177	81
Tank 3	0.00	56.80	0.00	32.10	>141	177	81

TEST EVENTS

INSTALLATION 11/05/04	INOCULATION 11/05/04	SAMPLING 11/15/04	ANALYSIS 12/02/04
--------------------------	-------------------------	----------------------	----------------------

FILL RISER - SPILL BUCKET TEST

TANK#	PASS/FAIL
Tank 1	Pass
Tank 2	Pass
Tank 3	Pass

I declare under penalty of perjury that I am a licensed tank tester in the State of California and that the information contained in this report is true and correct to the best of my knowledge.

Inoculated/Inoculated M. Atkinson CA Lic. No: 04-1675 Signature Monty Archley Date 1/3/05
Sampler M. Keen CA Lic. No: 04-1639 Signature [Signature] Date
TRC Analyst Andrew Kachoff CA Lic. No: 01-1621 Signature Andrew Kachoff Date 12/16/04

Sample Date: 12/02/04

CONDENSED DATA

Location	Compound	Concentration
001	G	0.0000
001	R	0.0000
001	W	0.0000
001	TVHC	0.0000
002	G	0.0000
002	R	0.0000
002	W	0.0837
002	TVHC	12.2400
003	G	0.0000
003	R	0.0000
003	W	0.0093
003	TVHC	0.1400
004	G	0.0007
004	R	0.0000
004	W	0.0000
004	TVHC	0.0700
005	G	0.0005
005	R	0.0000
005	W	0.0000
005	TVHC	4.5200
006	G	0.0000
006	R	0.0000
006	W	0.0000
006	TVHC	0.3000
007	G	0.0000
007	R	0.0000
007	W	0.0000
007	TVHC	6.2100
008	G	0.0000
008	R	0.0000
008	W	0.0000
008	TVHC	0.0000
009	G	0.0000
009	R	0.0000

A, E, G, H, I, R, W and TVHC values reported in micrograms/liter (µg/L).
 00 = Not Detected -999999.99999 = No sample

Sample Date: 12/02/04

CONDENSED DATA

Location	Compound	Concentration
009	W	0.0106
009	TVHC	0.0000
010	G	0.0000
010	R	0.0000
010	W	0.0094
010	TVHC	0.0000
011	G	0.0000
011	R	0.0000
011	W	0.0373
011	TVHC	0.2600
012	G	0.0000
012	R	0.0000
012	W	0.0161
012	TVHC	0.0000
013	G	0.0000
013	R	0.0000
013	W	0.0579
013	TVHC	2.3000
014	G	0.0000
014	R	0.0000
014	W	0.0351
014	TVHC	0.0500
015	G	0.0000
015	R	0.0000
015	W	0.1050
015	TVHC	16.4200
016	G	0.0000
016	R	0.0000
016	W	0.0000
016	TVHC	0.0600
017	G	0.0000
017	R	0.0000
017	W	0.0000
017	TVHC	0.0000

A, E, G, H, I, R, W and TVHC values reported in micrograms/liter (µg/L).
 00 = Not Detected -999999.99999 = No sample

Sample Date: 12/02/04

CONDENSED DATA

Location	Compound	Concentration
018	G	0.0000
018	R	0.0000
018	W	0.0000
018	TVHC	0.0000
019	G	0.0000
019	R	0.0000
019	W	0.0000
019	TVHC	0.0000
87 Annular	G	0.0000
87 Annular	R	0.0000
87 Annular	W	0.0000
87 Annular	TVHC	0.6100
87 T-Sump	G	0.0008
87 T-Sump	R	0.0000
87 T-Sump	W	0.0000
87 T-Sump	TVHC	5.4300
89 Annular	G	0.0000
89 Annular	R	0.0000
89 Annular	W	0.0000
89 Annular	TVHC	0.3800
89 T-Sump	G	0.0000
89 T-Sump	R	0.0000
89 T-Sump	W	0.0000
89 T-Sump	TVHC	0.0600
91 Annular	G	0.0000
91 Annular	R	0.0000
91 Annular	W	0.0000
91 Annular	TVHC	2.4400
91 T-Sump	G	0.0007
91 T-Sump	R	0.0000
91 T-Sump	W	0.0000
91 T-Sump	TVHC	1.3900

Figure 1

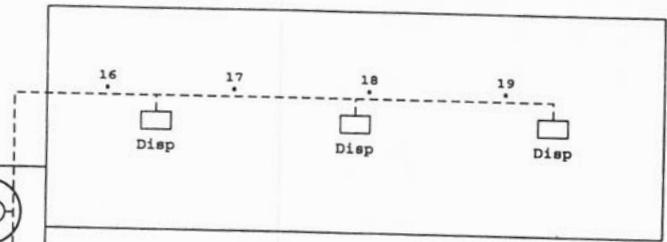
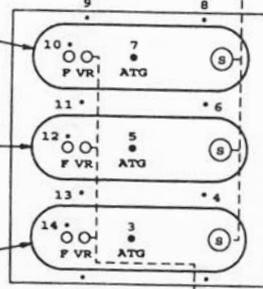
PRAXAIR

Praxair Services, Inc.

Tank 3
10,000 gal
89
Tracer [R]

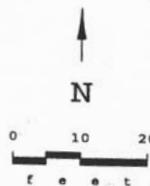
Tank 2
10,000 gal
91
Tracer [G]

Tank 1
10,000 gal
87
Tracer [W]



EXPLANATION

- 1 Sampling Probe Location
- Approximate Pipeline Location



CGRS
Sonoma Super Gas / Beacon #106

18618 SONOMA HIGHWAY
SONOMA, CALIFORNIA

SAMPLING LOCATIONS

Figure 1



Praxair Services, Inc.

Praxair Services, Inc.
 3755 N. Business Center Drive
 Tucson, AZ 85705
 Tel: (800) 394-9929
 Fax: (520) 293-1306

IN SERVICE ENHANCED LEAK DETECTION (ISELD) TEST RESULTS

Client	Date:	1/25/2006	Site Info:	Job No:	38713EL
Shirley Environmental 9595 Lucas Ranch Rd, Suite 100 Rancho Cucamonga Ca 91730			Sonoma Super Saver 18618 Sonoma Hwy Sonoma Ca 95476		
SYSTEM		STATUS - (Pass/ Fail)			
Product / System	Size	Tank	Product Primary (Primary)	Vent Primary	(
87	10,000	Pass	Pass	Pass	
89	10,000	Pass	Pass	Pass	
91	10,000	Pass	Pass	Pass	
Vapor Recovery			Pass		
Under Dispenser Containment (UDC)	3		Pass		

GROUND WATER AND PRODUCT INFO

Product / System	IN_TANK H2O (In)	Product Level (In)	Ground Water (in)	Tank Bottom (in)	Tank Top (in)
87	0	4978	>192 inch	168	48
89	0	2130	>192 inch	168	48
91	0	2551	>192 inch	168	48

SPILL BUCKET - H2O TEST

TANK	Fill Bucket Pass/Fail	Vapor Recovery Bucket Pass/Fail
87	Pass	Pass
89	Pass	Pass
91	Pass	Pass

I declare under penalty of perjury that I am a licensed tank tester in the State of California and that the information contained in this report is true and correct to the best of my knowledge

Tester: Edwin Coreas State Lic. #: 03-1652

Signature: *Edwin Coreas* Date: 1/25/2006

Test Summary



Praxair Services, Inc.

Praxair Services, Inc.
3755 N. Business Center Drive
Tucson, AZ 85705
Tel: (800) 394-9929
Fax: (520) 293-1306

**IN SERVICE ENHANCED LEAK DETECTION (ISELD)
TEST RESULTS**

Client	Date: 1/25/2006	Site Info:	Job No: 38713EL
Shirley Environmental 9595 Lucas Ranch Rd, Suite 100 Rancho Cucamongo Ca 91730		Sonoma Super Saver 18618 Sonoma Hwy Sonoma Ca 95476	

TEST SUMMARY

QA Review: Test data and information has been reviewed and conforms to ELD procedures and protocol. Detected leaks were repaired by contractor and re-tested tight before end of testing event. All systems tested pass.



- It is necessary to review the details of the leak log on the following slide to accurately interpret this statement.

Page 9 bottom of the first paragraph of the draft order

Reviewed By:

Drew Burk

2/7/2006

Signature:

LEAK LOG			Job#	38713EL			SWO #	0
Site:	Sonoma Super Saver		Client:	Shirley Environmental		Client Contact	April Weemes	
Site Address:	18618 Sonoma Hwy		Sonoma Ca 95476		Contact #	(909) 467-7443		
Log Completed By:	Kevin Ashley							
Date:	Leak/Pass	Time	ITEM	Test	Tested	Sample ID	Concentration: (ug/L - ppm - psig)	Description (How collected, Volume Collected, Complete Notes)
01/23/06	1a	11:36	BU	89 TK	TS	Note	50 ppm	Dectected with heliest will investigate
01/23/06	2a	11:45	BU	89 TK	TS	Note	Note	Used soap and water found no visible signs of bubbles to indicate a leak. Wrapped vapor recover line with shrink wrap.
01/23/06	1b	19:17	Final	89 TK	TS	89 TS	A = 0.0005 ug/l	Sample collected at 19:04 will investigate
01/24/06	2b	8:45	Final	89 TK	Note	Note	Note	Wrapped flex hose with shrink wrap found no visible leaks with soap and water
01/24/06	1c	9:59	Final	87 TK	ATG	87 ATG	A = 0.0026 ug/l	Sample collected at 9:45 will investigate
01/24/06	2c	15:20	Final	Note	Note	Note	Note	During inoculation the lids to the tank interstitial were exposed. With the wind direction we believe there was some contamination into the tank, as well as the soil around the fill riser we resample the interstitial, and vp no increase in rate

1

Leak log and resolution contractor notes

1. This Comment was referring to the inoculated tracer gas possibly escaping in the wind condition.



UST Component	October 8, 2002	November 13, 2003
	SB989 Sec Cont	SB 989 Sec Cont Retest
SECONDARY CONTAINMENT		
UST		
1 Regular	Passed	
2 Super	Passed	
3 Plus/Midgrade	Passed	

Piping Interstitial (secondary)		
1 Regular	Failed	Passed
2 Super	Failed	Passed
3 Plus/Midgrade	Failed	Passed

Sump & Underdispenser		
1 Regular (Sump)	Passed	
2 Super (Sump)	Failed	Passed
3 Midgrade (Sump)	Passed	
1 Regular (Disp.)	Failed	October 23, 2002
2 Super (Disp.)	Failed	Monitoring Certification
3 Midgrade (Disp.)	Failed	

Annulars Space or Vault Leak Sensor		
1 Regular Tank	Passed	
2 Super Tank	Passed	
3 Plus/Midgrade Tank	Passed	

Piping Sump/Trench Sensor		
1 Regular	Passed	
2 Super	Passed	
3 Plus/Midgrade	Passed	

Mechanical Line Leak Detector		
1 Regular	Passed	
2 Super	Passed	
3 Plus/Midgrade	Passed	

UST COMPONENT		

PRIMARY CONTAINMENT		November 14, 2002
		Product Lines & Leak Detector
Product Lines		
1 Regular	Passed	
2 Super	Passed	
3 Plus/Midgrade	Passed	

Leak Detectors		
1 Regular	Passed	
2 Super	Passed	
3 Plus/Midgrade	Passed	

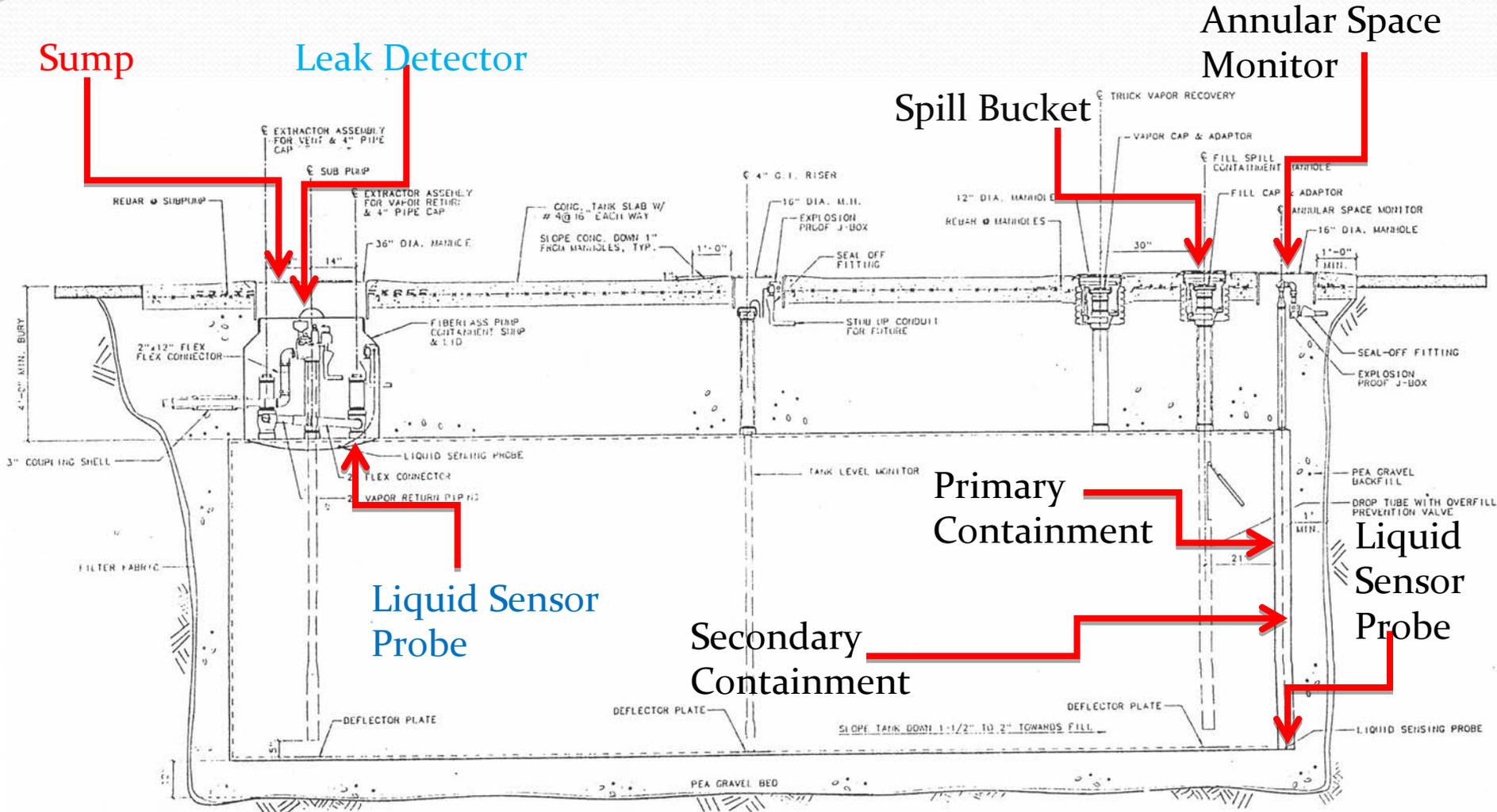
ELD TESTING		
USTs		
1 Regular	Failed	Passed
2 Super	Failed	Passed
3 Plus/Midgrade	Passed	Passed

Fill Riser-Spill Bucket Test		
1 Regular	Passed	Passed
2 Super	Passed	Passed
3 Plus/Midgrade	Passed	Passed

All Tests Summarized

December 13, 2004	January 25, 2006
ELD	ELD
Failed	Passed
Failed	Passed
Passed	Passed
Passed	Passed
Passed	Passed

CROSS SECTION OF UST SYTSEM



TYPICAL TANK ELEVATION/SECTION
1/2"-1'-0"

Comments on the Draft Order regarding ELD Testing Conclusion: 1 of 2

- The Petitioner uses the failure of the 2004 ELD test as a line of evidence to conclude that a release occurred post 1991. *Supplemental investigation revealed that the use of an offsite remote ELD sampling test that was used at this site is no longer conducted without pre testing; because of the high sensitivity, the failure rate is very high.* The Draft does not address this issue nor does it state that in the 2004 ELD test conducted at this site pre testing was not utilized. In addition the Draft does not note that a 10 day time span occurred between the inoculation of the tracer gas and the sampling of the tracer borings. By not acknowledging these points the Draft does not fairly present the possibility that the 2004 ELD test was compromised. This line of evidence is supported by the fact that no repairs were made to the USTs, between December 13, 2004 and January 25, 2006 . The 2006 ELD concluded that all components of the UST system passed. Both an onsite mobile lab and pre-testing were utilized during the 2006 ELD test
- The Draft makes reference to the 2006 ELD testing summary comments on page 9 paragraph 2, stating that "**detected leaks were repaired by contractor and re-tested tight before the end of the testing event.**" The Draft fails to point out the details of these detected leaks and the resolution to these leaks noted in the Leak Log.
 - In reference to the Leak Log:
 - #1a line 1 on January 23, 2006 Detected with heliost will investigate.
 - #2a line 2 Used soap and water found no visible signs of bubbles to indicate a leak. Wrapped vapor recover line with shrink wrap.
 - Complete details are reflected on the copy of the Leak Log included with this package.
 - The Draft also makes reference to this same data on page 9 paragraph 3.
 - In addition the Draft states on page 9 paragraph 2, "**The premium UST was not re-tested**". This is an error, supported by details on page 1 of the January 25, 2006 ELD test passed result of the premium tank.
- In conclusion we believe the Draft Order as it now stands should not be adopted by the SWRCB because the conclusion that there is credible evidence that indicates there was a release of vapor-phase gasoline from the USTs is based on several factual and interpretative errors.

Comments on the Draft Order regarding ELD Testing Conclusion: 2 of 2

- **In reference to the Leak Log:**
- **#1a line 1 on January 23, 2006 Detected with heliest will investigate.**
- **#2a line 2 Used soap and water found no visible signs of bubbles to indicate a leak. Wrapped vapor recover line with shrink wrap.**
- Complete details are reflected on the next slide.
- The Draft also makes reference to this same data on page 9 paragraph 3.
- In addition the Draft states on page 9 paragraph 2, "**The premium UST was not re-tested**". This is an error, supported by details on page 1 of the January 25, 2006 ELD test passed result of the premium tank.
- In conclusion we believe the Draft Order as it now stands should not be adopted by the SWRCB because the conclusion that there is credible evidence that indicates there was a release of vapor-phase gasoline from the USTs is based on several factual and interpretative errors.

LEAK LOG			Job#	38713EL			SWO #	0
Site:	Sonoma Super Saver		Client:	Shirley Environmental		Client Contact	April Weemes	
Site Address:	18618 Sonoma Hwy		Sonoma Ca 95476		Contact #	(909) 467-7443		
Log Completed By:	Kevin Ashley							
Date:	Leak/Pass	Time	ITEM	Test	Tested	Sample ID	Concentration: (ug/L - ppm - psig)	Description (How collected, Volume Collected, Complete Notes)
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01/23/06	2a	11:45	BU	89 TK	TS	Note	Note	Used soap and water found no visible signs of bubbles to indicate a leak. Wrapped vapor recover line with shrink wrap.
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1

Leak log and resolution contractor notes

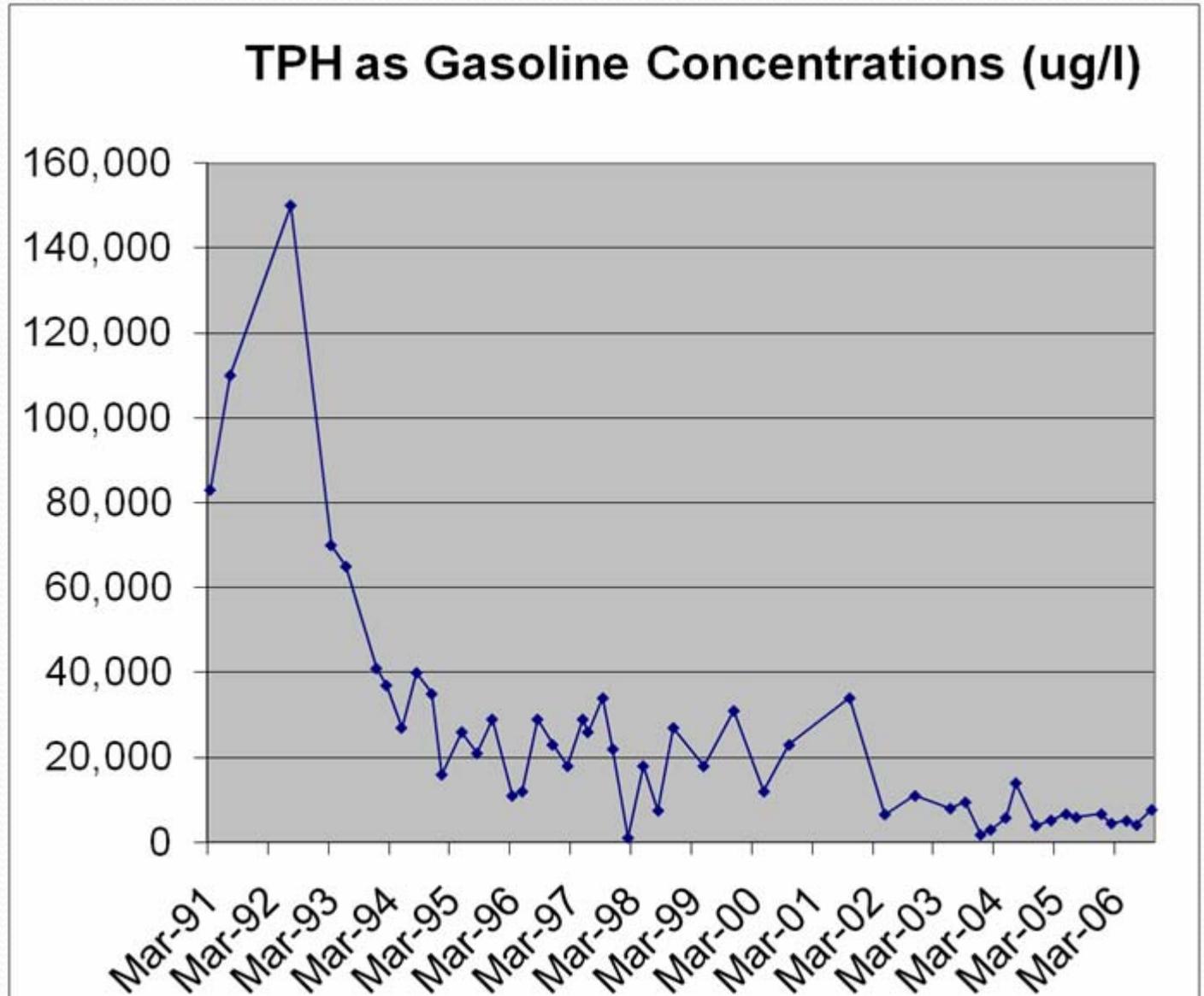
1. This Comment was referring to the inoculated tracer gas possibly escaping in the wind condition.



Sampling Date	TPH as Gasoline
3/5/1991	83,000
7/31/1991	110,000
7/1/1992	150,000
3/25/1993	70,000
6/2/1993	65,000
12/1/1993	41,000
2/16/1994	37,000
5/5/1994	27,000
8/16/1994	40,000
11/22/1994	35,000
1/31/1995	16,000
5/17/1995	26,000
8/15/1995	21,000
11/22/1995	29,000
3/5/1996	11,000
5/16/1996	12,000
8/29/1996	29,000
11/25/1996	23,000
2/20/1997	18,000
5/8/1997	29,000
6/21/1997	26,000
9/24/1997	34,000
11/14/1997	22,000
2/6/1998	1,100
5/26/1998	18,000
8/3/1998	7,500
11/6/1998	27,000
5/5/1999	18,000
11/10/1999	31,000
5/24/2000	12,000
10/19/2000	23,000
10/29/2001	34,000
5/28/2002	6,600
11/13/2002	11,000
6/30/2003	8,000
9/30/2003	9,500
12/29/2003	1,800
2/23/2004	3,000
5/24/2004	5,800
7/29/2004	14,000
11/18/2004	4,000
2/2/2005	5,200
5/9/2005	6,700
7/28/2005	5,900
12/7/2005	6,700
2/22/2006	4,500
5/10/2006	5,100
7/20/2006	4,100
10/18/2006	7,700

MONITORING/EXTRACTION WELL MW-1

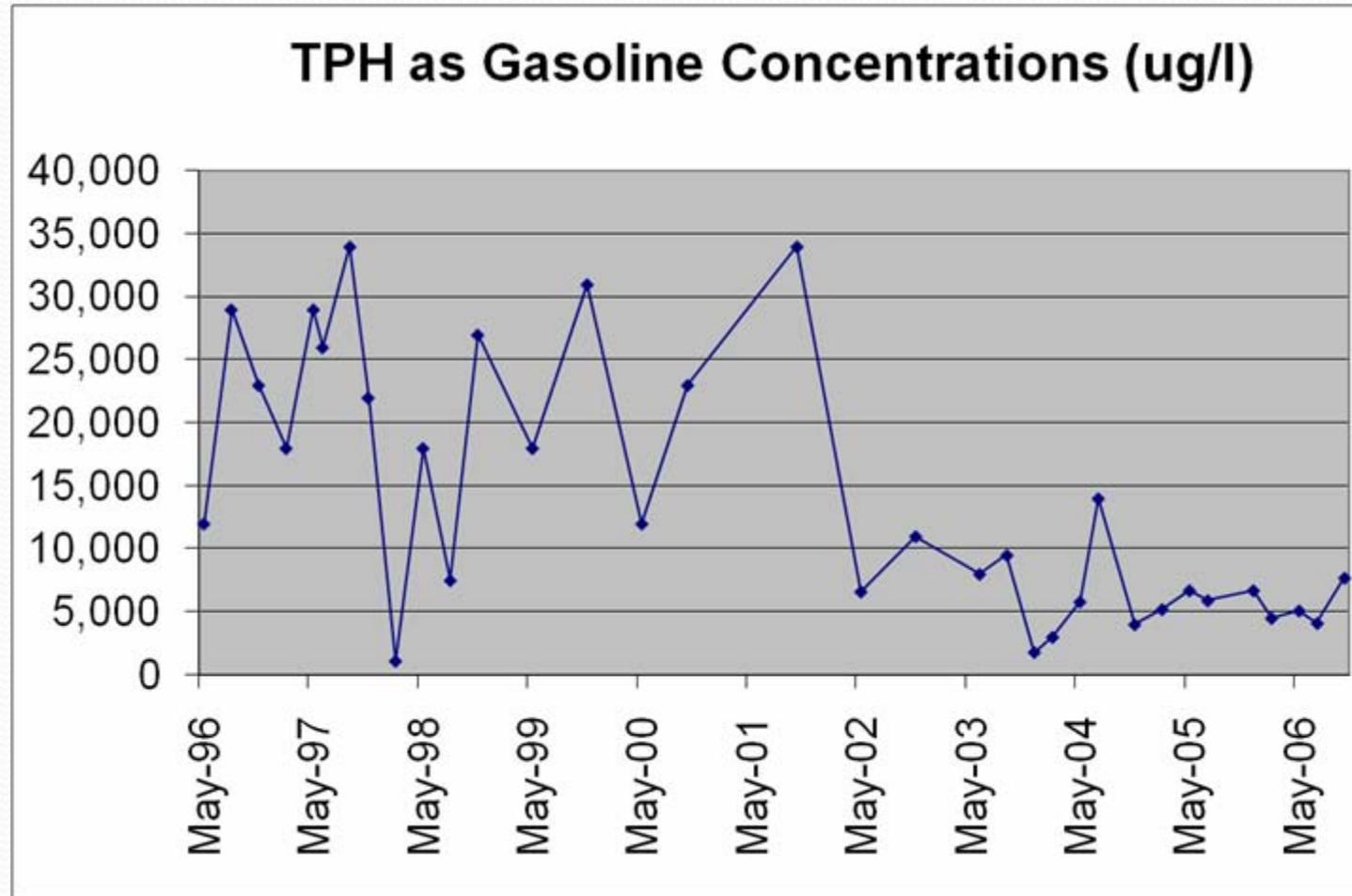
March 1, 1991 to October 18, 2006



Sampling Date	TPH as Gasoline
5/16/1996	12,000
8/29/1996	29,000
11/25/1996	23,000
2/20/1997	18,000
5/8/1997	29,000
6/21/1997	26,000
9/24/1997	34,000
11/14/1997	22,000
2/6/1998	1,100
5/26/1998	18,000
8/3/1998	7,500
11/6/1998	27,000
5/5/1999	18,000
11/10/1999	31,000
5/24/2000	12,000
10/19/2000	23,000
10/29/2001	34,000
5/28/2002	6,600
11/13/2002	11,000
6/30/2003	8,000
9/30/2003	9,500
12/29/2003	1,800
2/23/2004	3,000
5/24/2004	5,800
7/29/2004	14,000
11/18/2004	4,000
2/2/2005	5,200
5/9/2005	6,700
7/28/2005	5,900
12/7/2005	6,700
2/22/2006	4,500
5/10/2006	5,100
7/20/2006	4,100
10/18/2006	7,700

MONITORING/EXTRACTION WELL MW-1

May 16, 1996 to October 18, 2006

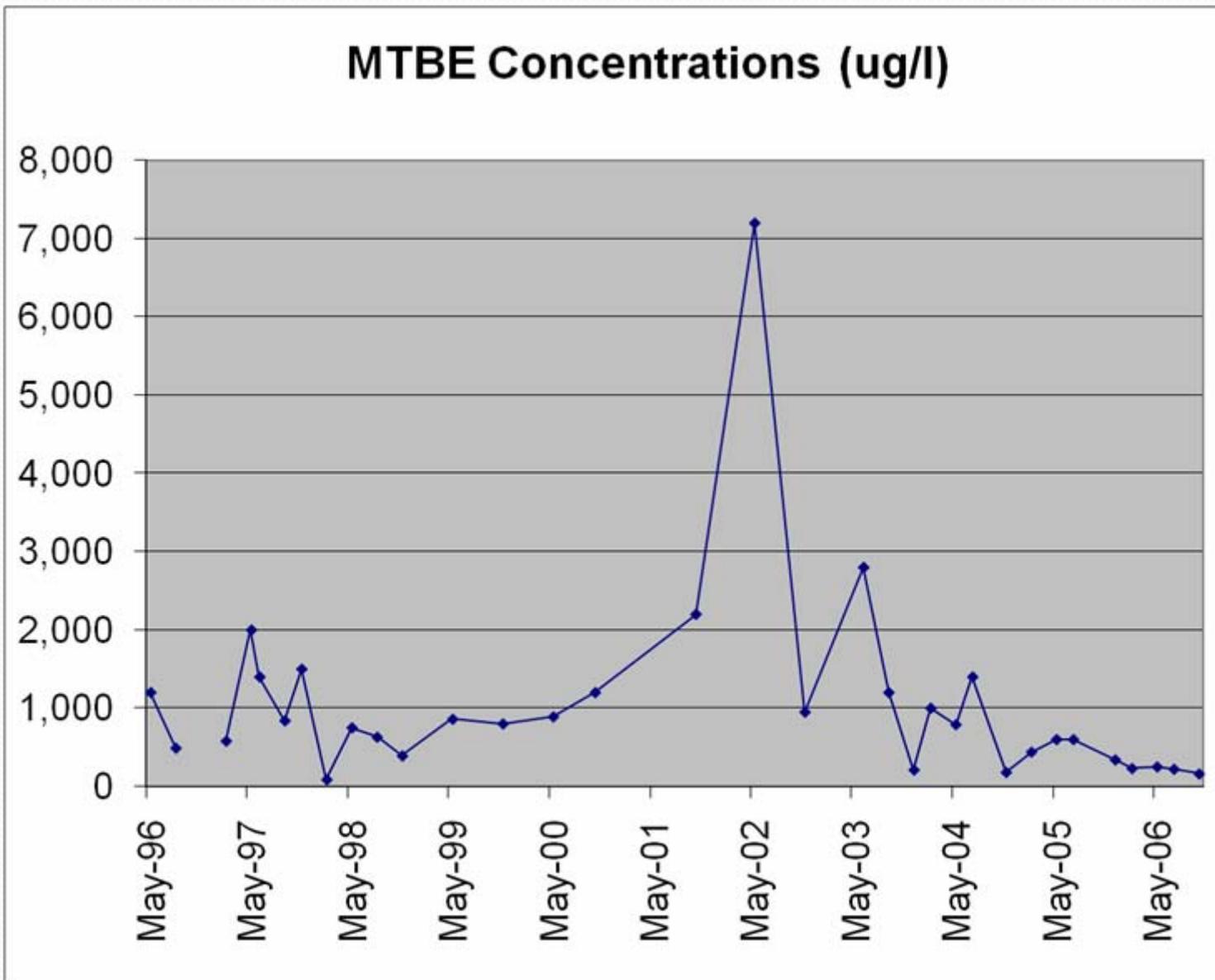


MONITORING/EXTRACTION WELL

MW-1

May 16, 1996 to October 18, 2006

MTBE Concentrations (ug/l)

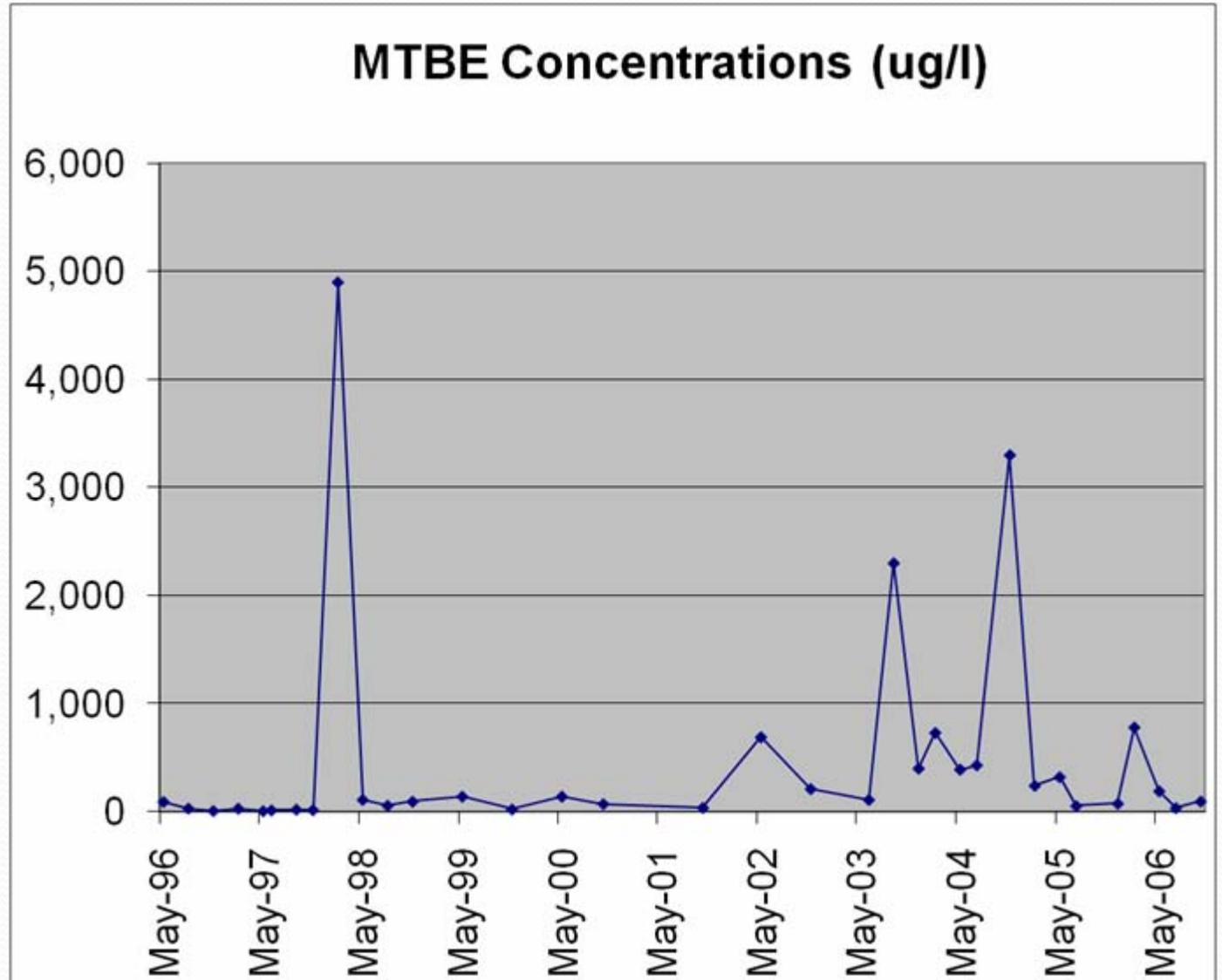


Sampling Date	TPH as Gasoline
5/16/1996	1,200
8/29/1996	490
11/25/1996	580
2/20/1997	2,000
5/8/1997	1,400
6/21/1997	840
9/24/1997	1,500
11/14/1997	86
2/6/1998	750
5/26/1998	630
8/3/1998	390
11/6/1998	860
5/5/1999	800
11/10/1999	890
5/24/2000	1,200
10/19/2000	2,200
10/29/2001	7,200
5/28/2002	950
11/13/2002	2,800
6/30/2003	1,200
9/30/2003	210
12/29/2003	1,000
2/23/2004	790
5/24/2004	1,400
7/29/2004	180
11/18/2004	440
2/2/2005	600
5/9/2005	600
7/28/2005	340
12/7/2005	230
2/22/2006	250
5/10/2006	220
7/20/2006	160
10/18/2006	160

Sampling Date	TPH as Gasoline
5/16/1996	91
8/29/1996	30
11/25/1996	8
2/20/1997	29
5/8/1997	6
6/21/1997	13
9/24/1997	20
11/14/1997	15
2/6/1998	4,900
5/26/1998	110
8/3/1998	56
11/6/1998	93
5/5/1999	140
11/10/1999	21
5/24/2000	140
10/19/2000	71
10/29/2001	36
5/28/2002	690
11/13/2002	210
6/30/2003	110
9/30/2003	2,300
12/29/2003	400
2/23/2004	730
5/24/2004	390
7/29/2004	430
11/18/2004	3,300
2/2/2005	240
5/9/2005	320
7/28/2005	53
12/7/2005	74
2/22/2006	780
5/10/2006	190
7/20/2006	34
10/18/2006	95

MONITORING WELL MW-2

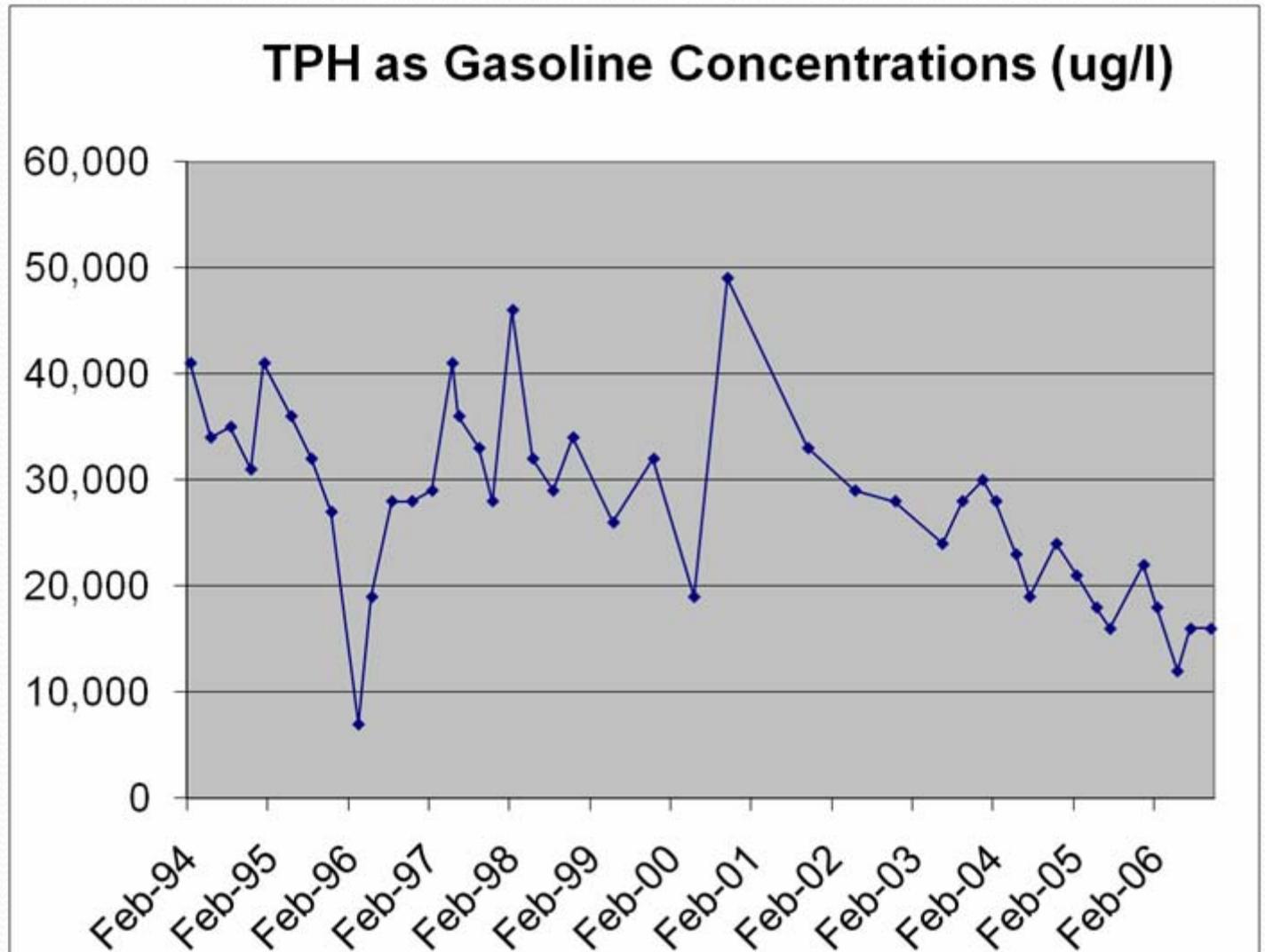
May 16, 1996 to October 18, 2006



Sampling Date	TPH as Gasoline
2/16/1994	41,000
5/5/1994	34,000
8/16/1994	35,000
11/22/1994	31,000
1/31/1995	41,000
5/17/1995	36,000
8/15/1995	32,000
11/22/1995	27,000
3/5/1996	7,000
5/16/1996	19,000
8/29/1996	28,000
11/25/1996	28,000
2/20/1997	29,000
5/8/1997	41,000
6/21/1997	36,000
9/24/1997	33,000
11/14/1997	28,000
2/6/1998	46,000
5/26/1998	32,000
8/3/1998	29,000
11/6/1998	34,000
5/5/1999	26,000
11/10/1999	32,000
5/24/2000	19,000
10/19/2000	49,000
10/29/2001	33,000
5/28/2002	29,000
11/13/2002	28,000
6/30/2003	24,000
9/30/2003	28,000
12/29/2003	30,000
2/23/2004	28,000
5/24/2004	23,000
7/29/2004	19,000
11/18/2004	24,000
2/2/2005	21,000
5/9/2005	18,000
7/28/2005	16,000
12/7/2005	22,000
2/22/2006	18,000
5/10/2006	12,000
7/20/2006	16,000
10/18/2006	16,000

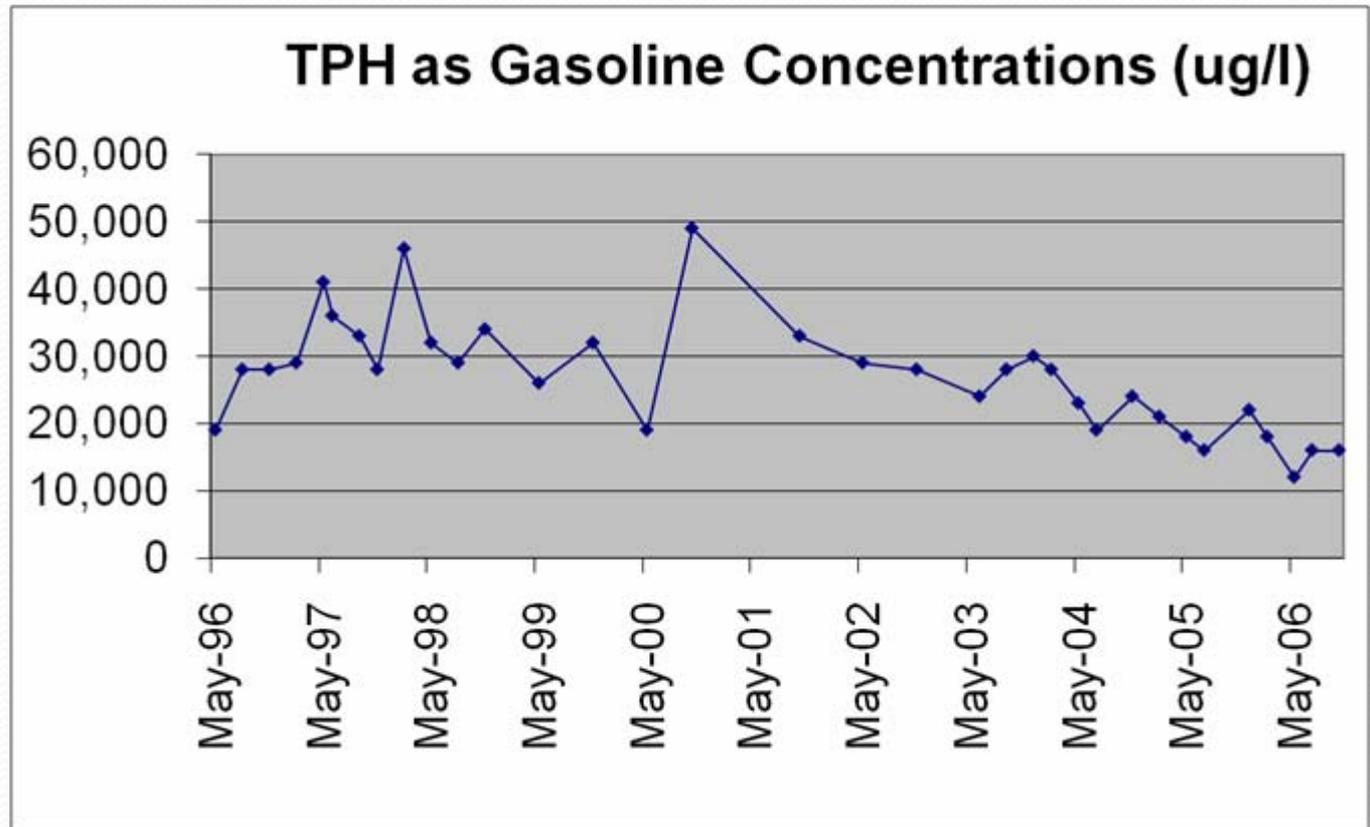
MONITORING/EXTRACTION WELL MW-3

February 6, 1994 to October 18, 2006



Sampling Date	TPH as Gasoline
5/16/1996	19,000
8/29/1996	28,000
11/25/1996	28,000
2/20/1997	29,000
5/8/1997	41,000
6/21/1997	36,000
9/24/1997	33,000
11/14/1997	28,000
2/6/1998	46,000
5/26/1998	32,000
8/3/1998	29,000
11/6/1998	34,000
5/5/1999	26,000
11/10/1999	32,000
5/24/2000	19,000
10/19/2000	49,000
10/29/2001	33,000
5/28/2002	29,000
11/13/2002	28,000
6/30/2003	24,000
9/30/2003	28,000
12/29/2003	30,000
2/23/2004	28,000
5/24/2004	23,000
7/29/2004	19,000
11/18/2004	24,000
2/2/2005	21,000
5/9/2005	18,000
7/28/2005	16,000
12/7/2005	22,000
2/22/2006	18,000
5/10/2006	12,000
7/20/2006	16,000
10/18/2006	16,000

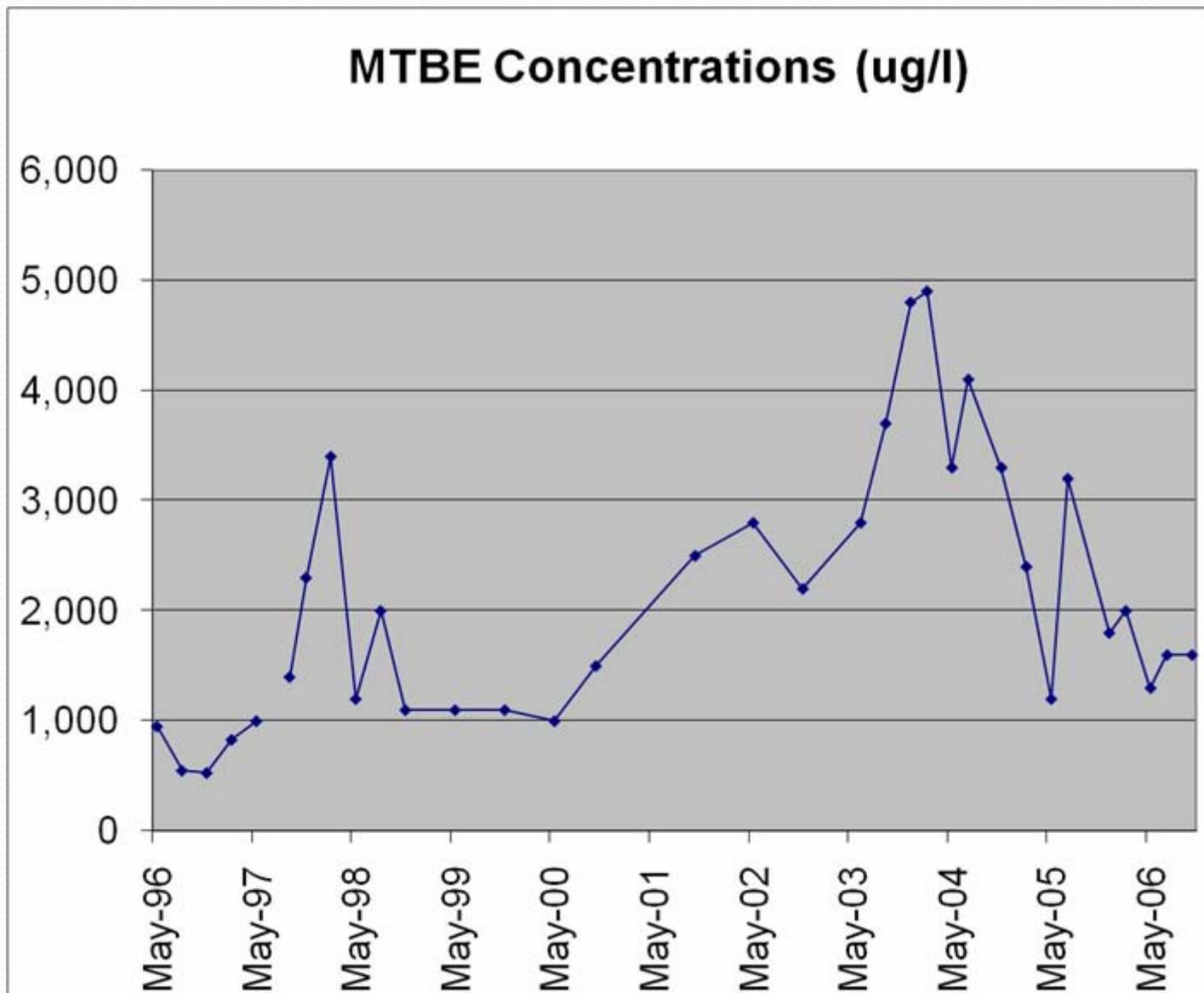
MONITORING/EXTRACTION WELL MW-3 May 16, 1996 to October 18, 2006



Sampling Date	TPH as Gasoline
5/16/1996	950
8/29/1996	550
11/25/1996	530
2/20/1997	830
5/8/1997	1,000
6/21/1997	
9/24/1997	1,400
11/14/1997	2,300
2/6/1998	3,400
5/26/1998	1,200
8/3/1998	2,000
11/6/1998	1,100
5/5/1999	1,100
11/10/1999	1,100
5/24/2000	1,000
10/19/2000	1,500
10/29/2001	2,500
5/28/2002	2,800
11/13/2002	2,200
6/30/2003	2,800
9/30/2003	3,700
12/29/2003	4,800
2/23/2004	4,900
5/24/2004	3,300
7/29/2004	4,100
11/18/2004	3,300
2/2/2005	2,400
5/9/2005	1,200
7/28/2005	3,200
12/7/2005	1,800
2/22/2006	2,000
5/10/2006	1,300
7/20/2006	1,600
10/18/2006	1,600

MONITORING/EXTRACTION WELL MW-3

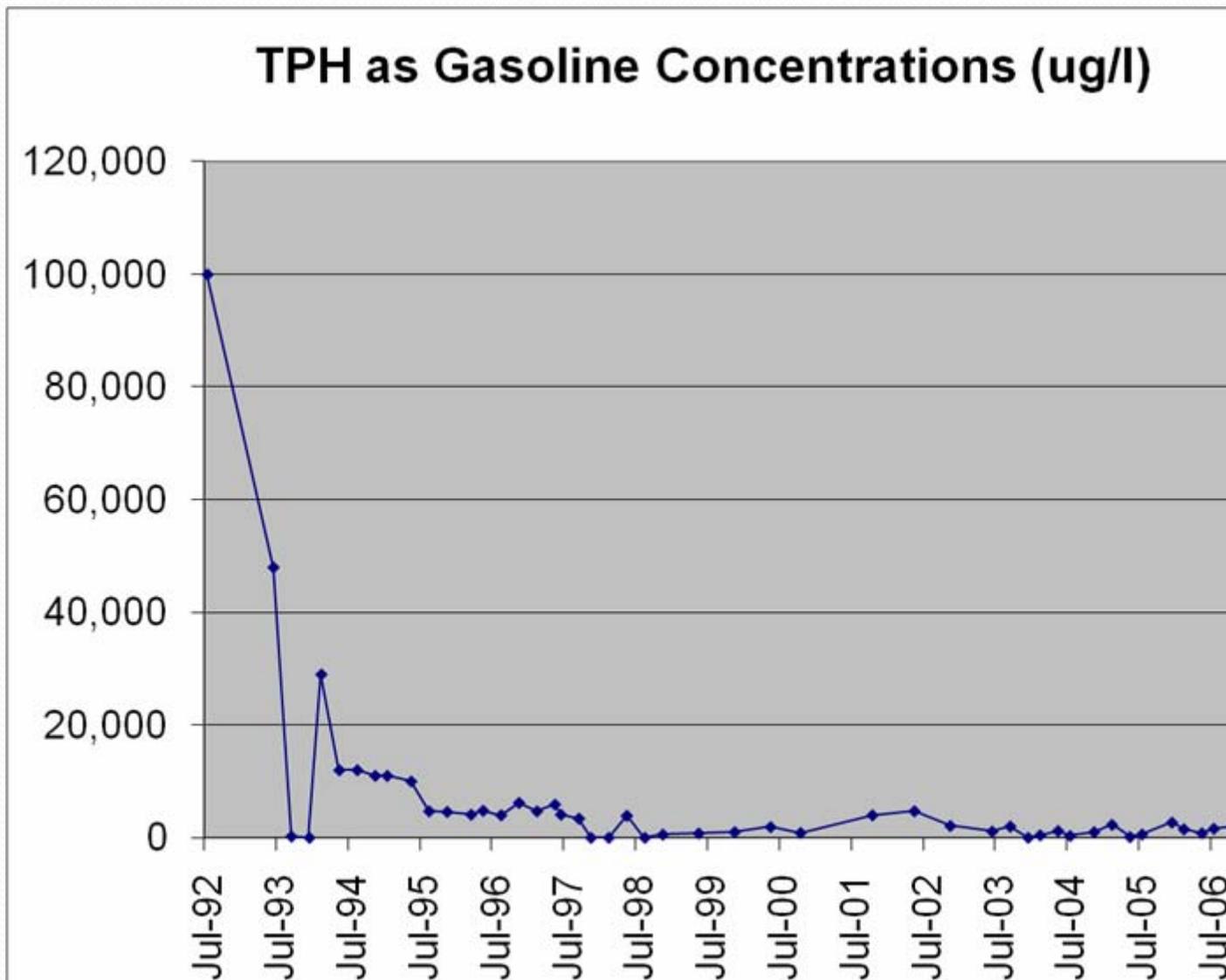
May 16, 1996 to October 18, 2006



Sampling Date	TPH as Gasoline
7/1/1992	100,000
6/2/1993	48,000
9/1/1993	240
12/1/1993	<50
2/16/1994	29,000
5/5/1994	12,000
8/16/1994	12,000
11/22/1994	11,000
1/31/1995	11,000
5/17/1995	10,000
8/15/1995	4,700
11/22/1995	4,600
3/5/1996	4,100
5/16/1996	4,800
8/29/1996	4,000
11/25/1996	6,200
2/20/1997	4,700
5/8/1997	5,900
6/21/1997	4,100
9/24/1997	3,400
11/14/1997	<50
2/6/1998	<50
5/26/1998	3,900
8/3/1998	<50
11/6/1998	560
5/5/1999	780
11/10/1999	1,000
5/24/2000	1,900
10/19/2000	860
10/29/2001	4,000
5/28/2002	4,700
11/13/2002	2,100
6/30/2003	1,100
9/30/2003	2,000
12/29/2003	<50
2/23/2004	440
5/24/2004	1,200
7/29/2004	310
11/18/2004	1,000
2/2/2005	2,300
5/9/2005	130
7/28/2005	590
12/7/2005	2,700
2/22/2006	1,500
5/10/2006	800
7/20/2006	1,600
10/18/2006	1,900

MONITORING/EXTRACTION WELL MW-4

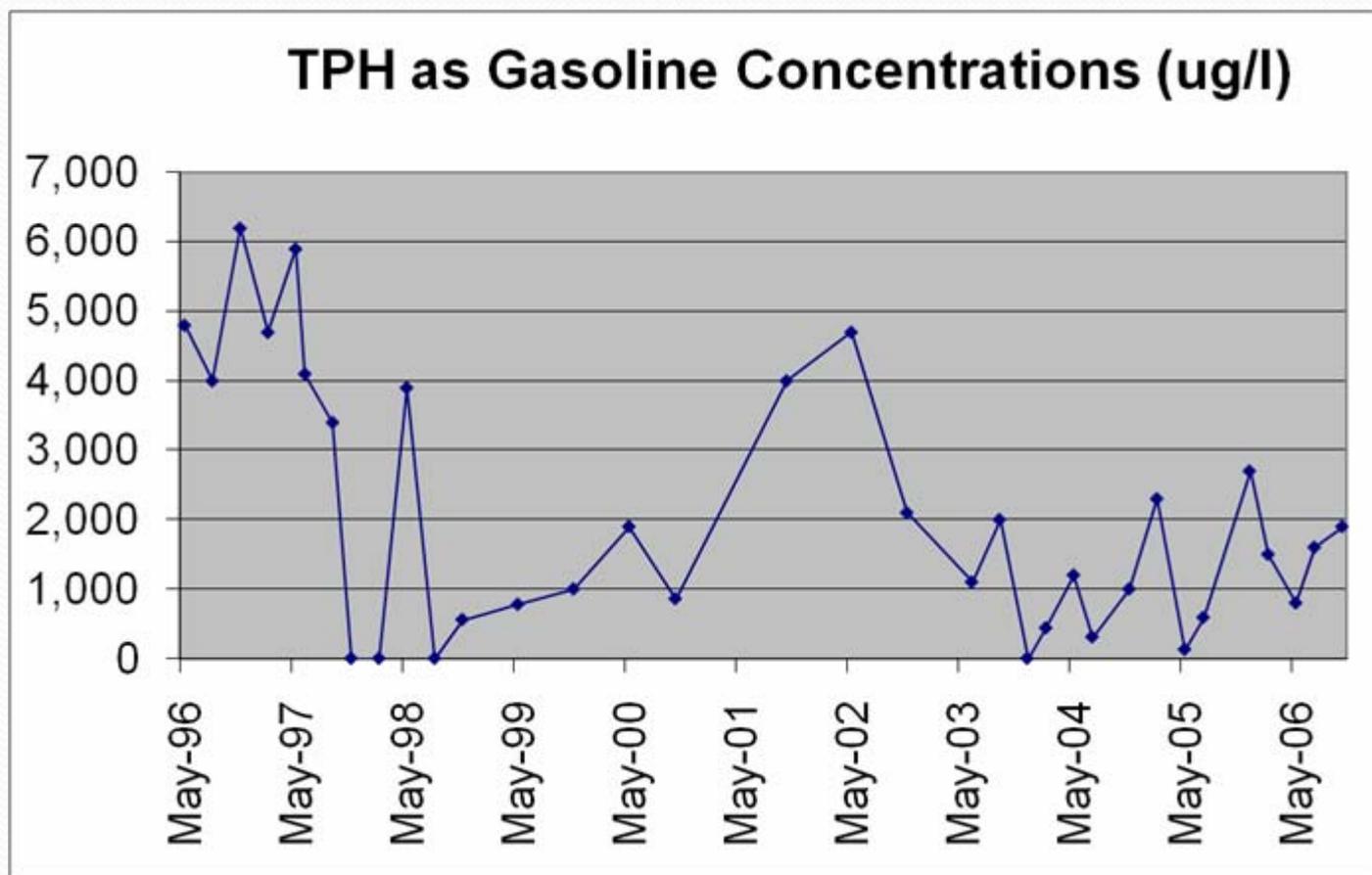
July 1, 1992 to October 18, 2006



Sampling Date	TPH as Gasoline
5/16/1996	4,800
8/29/1996	4,000
11/25/1996	6,200
2/20/1997	4,700
5/8/1997	5,900
6/21/1997	4,100
9/24/1997	3,400
11/14/1997	<50
2/6/1998	<50
5/26/1998	3,900
8/3/1998	<50
11/6/1998	560
5/5/1999	780
11/10/1999	1,000
5/24/2000	1,900
10/19/2000	860
10/29/2001	4,000
5/28/2002	4,700
11/13/2002	2,100
6/30/2003	1,100
9/30/2003	2,000
12/29/2003	<50
2/23/2004	440
5/24/2004	1,200
7/29/2004	310
11/18/2004	1,000
2/2/2005	2,300
5/9/2005	130
7/28/2005	590
12/7/2005	2,700
2/22/2006	1,500
5/10/2006	800
7/20/2006	1,600
10/18/2006	1,900

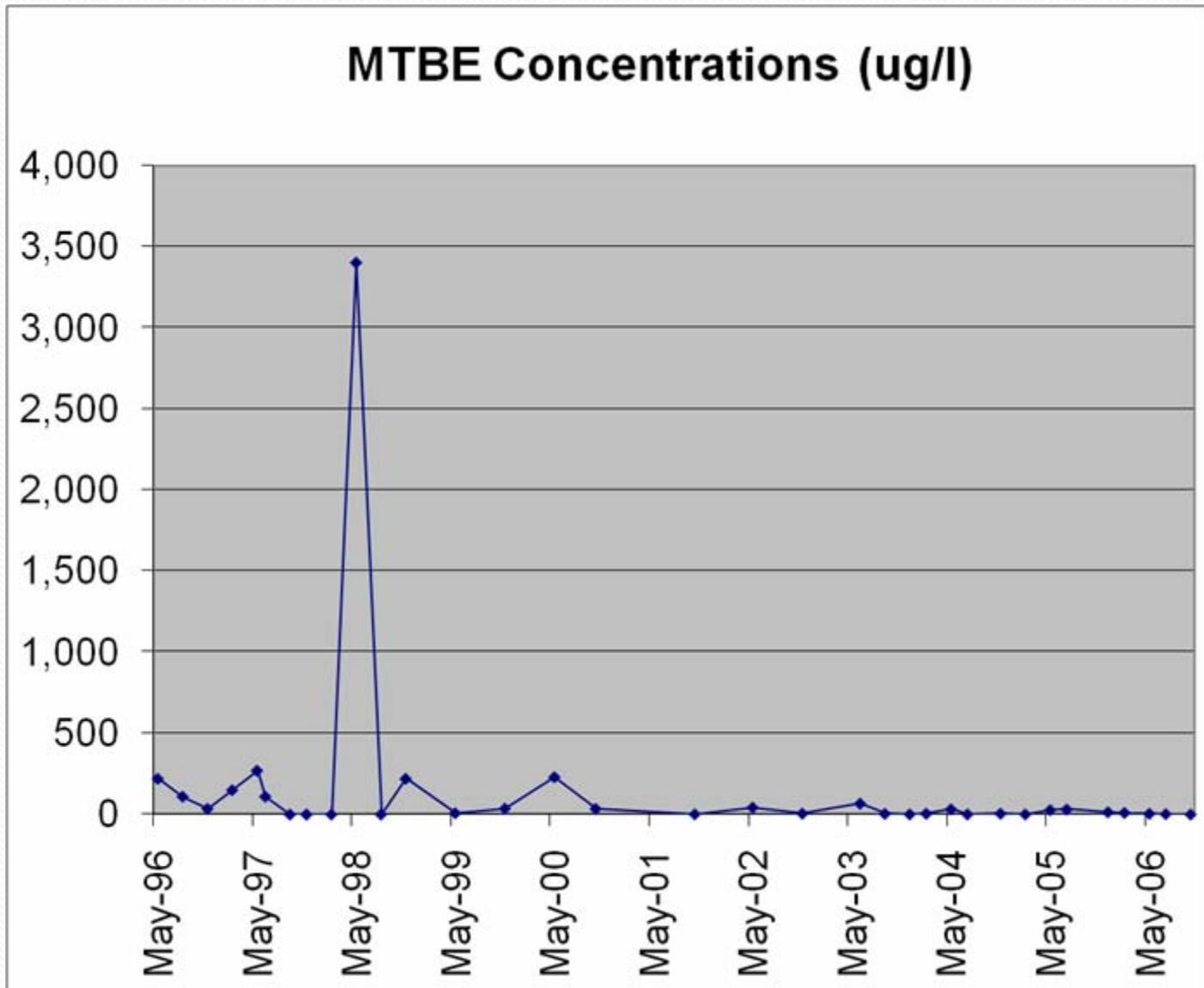
MONITORING/EXTRACTION WELL MW-4

May 16, 1991 to October 18, 2006



Sampling Date	TPH as Gasoline
5/16/1996	220
8/29/1996	110
11/25/1996	35
2/20/1997	150
5/8/1997	270
6/21/1997	110
9/24/1997	<50
11/14/1997	<5.0
2/6/1998	<5.0
5/26/1998	3,400
8/3/1998	<5.0
11/6/1998	220
5/5/1999	7.8
11/10/1999	36
5/24/2000	230
10/19/2000	35
10/29/2001	1.3
5/28/2002	43
11/13/2002	5.2
6/30/2003	67
9/30/2003	4.0
12/29/2003	1.1
2/23/2004	4.6
5/24/2004	32
7/29/2004	0.91
11/18/2004	4.7
2/2/2005	0.86
5/9/2005	27
7/28/2005	31
12/7/2005	14
2/22/2006	9.6
5/10/2006	4.4
7/20/2006	2.1
10/18/2006	<0.5

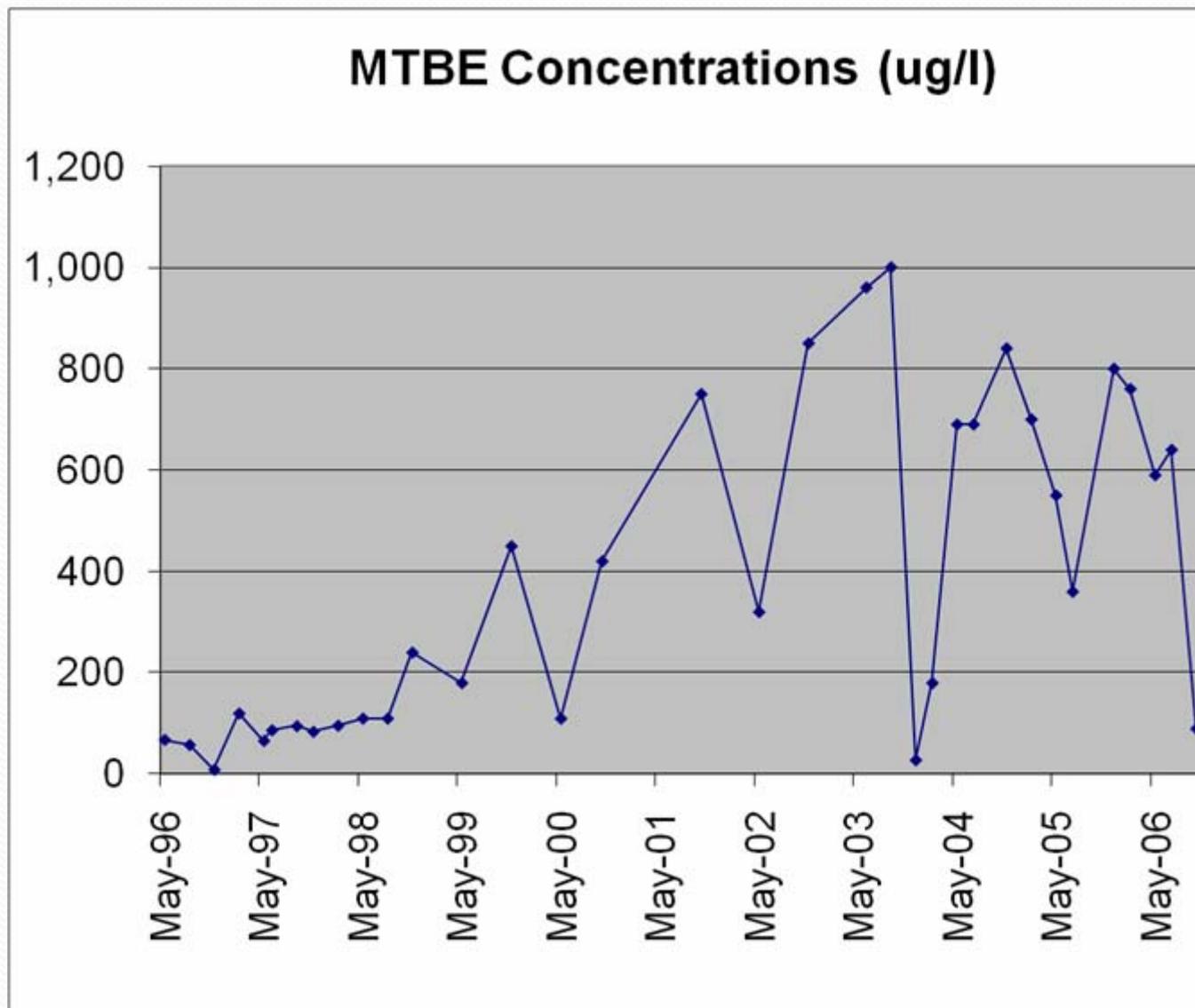
MONITORING WELL MW-4
May 16, 1996 to October 18, 2006



Sampling Date **TPH as Gasoline**

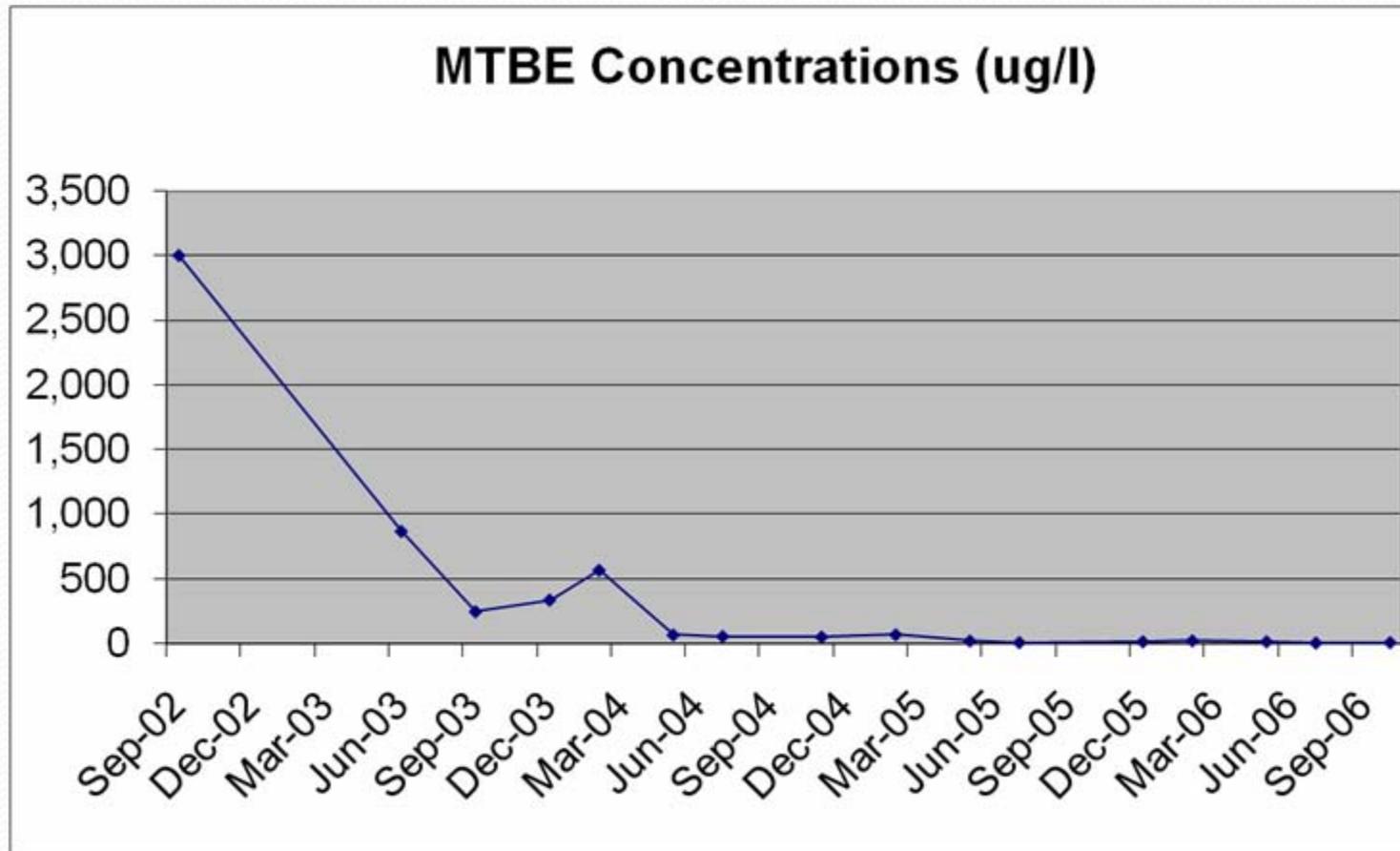
5/16/1996	68
8/29/1996	58
11/25/1996	9.0
2/20/1997	120
5/8/1997	66
6/21/1997	87
9/24/1997	95
11/14/1997	84
2/6/1998	96
5/26/1998	110
8/3/1998	110
11/6/1998	240
5/5/1999	180
11/10/1999	450
5/24/2000	110
10/19/2000	420
10/29/2001	750
5/28/2002	320
11/13/2002	850
6/30/2003	960
9/30/2003	1,000
12/29/2003	28
2/23/2004	180
5/24/2004	690
7/29/2004	690
11/18/2004	840
2/2/2005	700
5/9/2005	550
7/28/2005	360
12/7/2005	800
2/22/2006	760
5/10/2006	590
7/20/2006	640
10/18/2006	90

MONITORING WELL MW-5
 May 16, 1996 to October 18, 2006



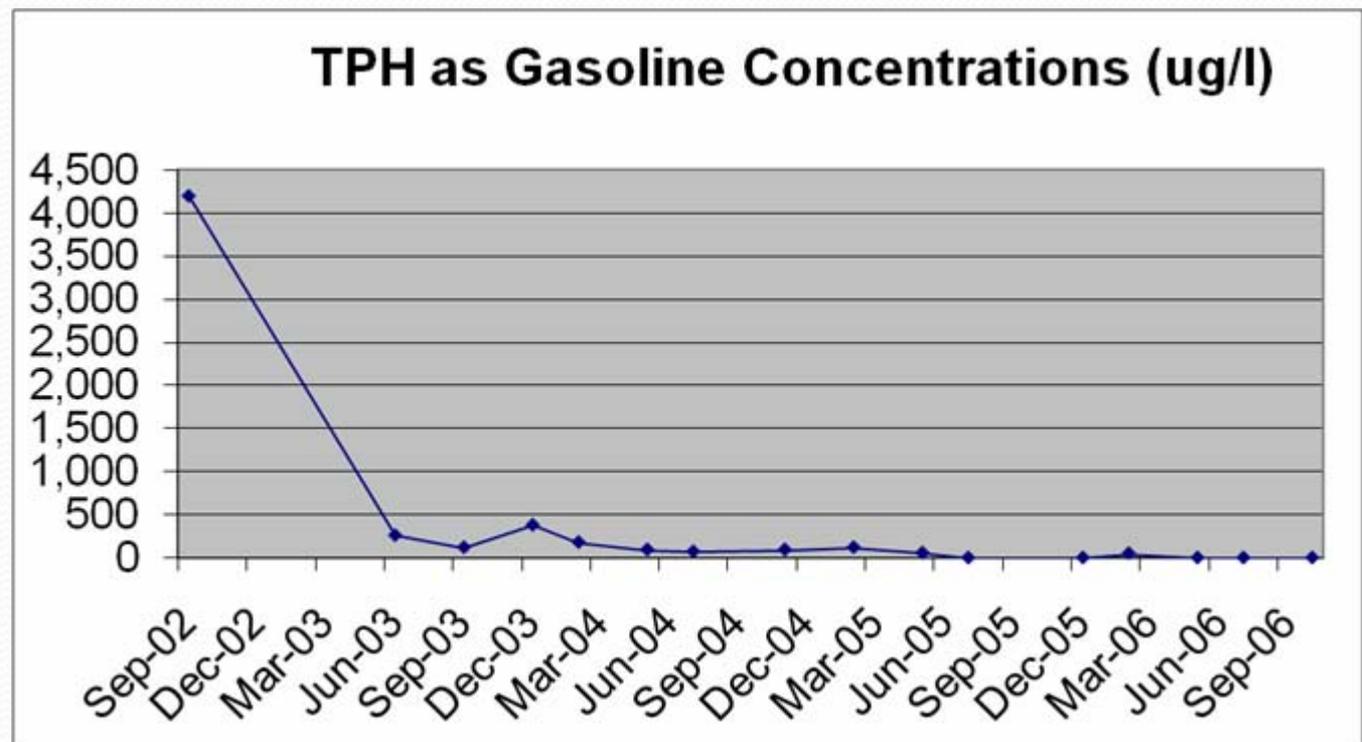
Sampling Date	TPH as Gasoline
9/20/2002	3,000
6/30/2003	870
9/30/2003	250
12/29/2003	340
2/23/2004	570
5/24/2004	70
7/29/2004	59
11/18/2004	54
2/2/2005	72
5/9/2005	24
7/28/2005	12
12/7/2005	18
2/22/2006	25
5/10/2006	18
7/20/2006	8.0
10/18/2006	11

MONITORING WELL MW-8
September 20, 2002 to October 18, 2006



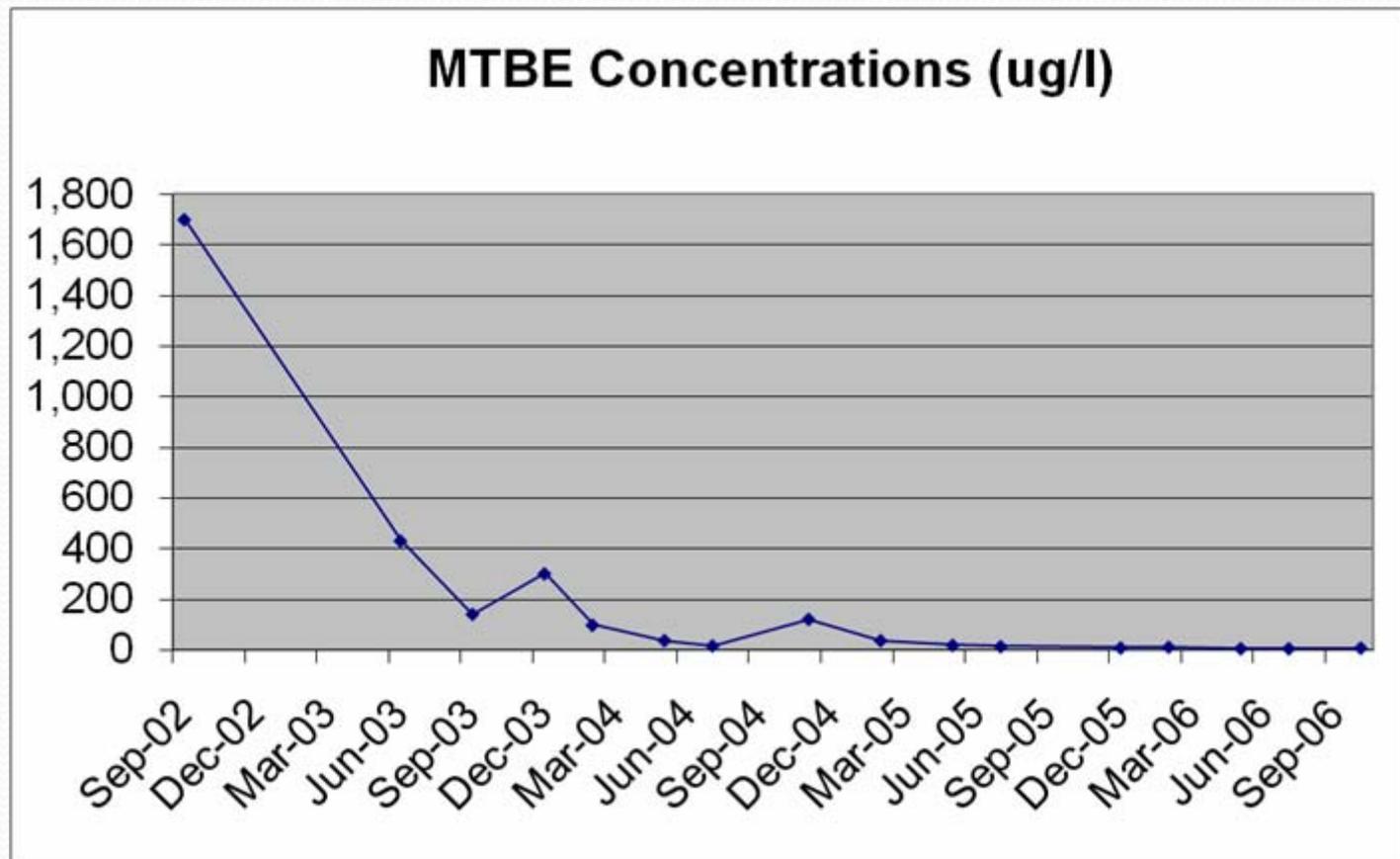
Sampling Date	TPH as Gasoline
9/20/2002	4,200
6/30/2003	260
9/30/2003	120
12/29/2003	380
2/23/2004	180
5/24/2004	94
7/29/2004	72
11/18/2004	93
2/2/2005	120
5/9/2005	56
7/28/2005	<50
12/7/2005	<50
2/22/2006	51
5/10/2006	<50
7/20/2006	<50
10/18/2006	<50

MONITORING WELL MW-9
September 20, 2002 to October 18, 2006



Sampling Date	TPH as Gasoline
9/20/2002	1,700
6/30/2003	430
9/30/2003	140
12/29/2003	300
2/23/2004	97
5/24/2004	36
7/29/2004	15
11/18/2004	120
2/2/2005	36
5/9/2005	17
7/28/2005	12
12/7/2005	7.0
2/22/2006	10
5/10/2006	4.4
7/20/2006	4.0
10/18/2006	6.3

MONITORING WELL MW-9
September 20, 2002 to October 18, 2006





Western Regional Climate Center



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Period of Record Statistics

MEAN	6.26	5.23	4.11	1.79	0.79	0.23	0.03	0.09	0.34	1.63	3.94	5.22	30.01
S.D.	3.99	4.06	3.35	1.55	1.05	0.40	0.14	0.23	0.71	1.89	3.02	3.87	9.66
SKEW	0.98	1.07	1.09	1.27	1.64	2.64	7.06	2.92	3.39	1.68	0.73	0.90	1.05
MAX	20.29	18.89	13.77	6.87	3.90	2.28	1.11	1.02	4.10	9.12	12.95	16.87	63.45
MIN	0.36	0.08	0.03	0.03	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.01	11.34
NO YRS	65	64	61	63	65	66	64	65	63	63	64	65	52

YEAR(S)	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	ANN
1968	7.34	3.69	3.92	0.27	0.47	0.00	0.00	0.27	0.00	1.98	3.15	7.95	29.04
1969	8.01	9.09	1.66	2.27	0.00	0.10	0.00	0.00	0.00	1.80	1.08	8.23	32.24
1970	16.31	2.93	2.16	0.24	0.00	0.48	0.00	0.00	0.00	1.54	10.71	8.47	42.84
1971	2.43	0.44	3.99	0.74	0.28	0.00	0.00	0.00	0.12	0.23	2.64	6.17	17.04
1972	3.16	2.06	0.26	1.27	0.10	0.22	0.00	0.00	0.85	4.58	6.92	4.29	23.71
1973	13.79	8.60	3.76	0.03	0.05	0.00	0.00	0.00	0.63	1.73	12.95	5.40	46.94
1974	5.34	2.41	6.04	3.05	0.00	0.00	1.11	0.01	0.00	1.39	0.56	4.14	24.05
1975	3.12	10.93	7.34	1.56	0.05	0.05	0.18	0.05	0.00	4.73	1.19	0.89	30.09
1976	0.36	2.78	1.23	1.83	0.02	0.03	0.00	0.98	0.67	0.50	1.92	1.02	11.34
1977	1.74	1.43	2.42	0.22	1.47	0.01	0.00	0.00	0.71	0.62	8.04	6.91	23.57
1978	11.02	6.01	6.19	3.39	0.06	0.00	0.00	0.00	0.40	0.00	2.51	0.77	30.35
1979	12.12	6.81	2.12	1.55	0.56	0.00	0.00	0.00	0.00	0.00z	5.04	6.39	34.59
1980	7.99	10.62	1.55	1.89	0.25	0.14	0.18	0.00	0.00	0.26	0.33	2.39	25.60
1981	5.90	2.15	5.82	0.30	0.21	0.00	0.00	0.00	0.20	2.51	7.49	10.40	34.98
1982	11.97	6.10	8.72	3.69	0.00	0.05	0.00	0.00	1.20	3.15	8.78	3.53	47.19
1983	9.28	13.61	13.77	3.82	0.40	0.00	0.00	0.83	0.66	0.73	9.07	11.28	63.45
1984	0.49	2.48	2.05	1.92	0.00z	0.45	0.01	0.35	0.00	2.48	10.04	1.80	22.07
1985	1.42	3.04	0.00z	0.00z	0.00z	0.00z	0.00z	0.00	0.53	1.36	3.62	2.78	12.75
1986	6.47	14.80	7.62	0.42	0.30	0.00	0.00	0.00	1.28	0.31	0.21	2.35	33.76
1987	5.52	5.22	3.90	0.12	0.21	0.00	0.00	0.00	0.00	1.59	5.08	8.29	29.93
1988	6.54	0.54	0.12	1.67	0.88	0.24	0.00	0.00	0.00	0.19	5.36a	3.88	19.42
1989	1.50	1.61	10.08	0.79	0.06	0.06	0.00	0.00	1.77	2.23	1.71a	0.01	19.82
1990	6.92	3.40	1.43	0.35	3.68	0.00	0.00	0.02	0.05	0.45	0.51	1.26	18.07
1991	0.69	4.19	10.51	0.74	0.16	0.53	0.03	0.36	0.00	3.02	1.23	2.54	24.00
1992	2.21	9.82	7.01	0.90	0.00	0.92	0.00	0.00	0.03	4.47	0.40	9.79	35.55
1993	10.79	7.71	2.67	1.52	2.05b	0.88	0.00a	0.00	0.00	1.82	3.32a	3.13b	33.89
1994	3.35a	5.46	0.23	1.32	1.37	0.05	0.00	0.00	0.00	0.59	6.49a	3.91	22.77
1995	20.29b	0.82	13.29	1.33	1.89	1.04	0.00	0.00	0.00	0.00	0.25	9.95	48.86
1996	8.95	8.27	2.61	3.49	3.37	0.00	0.00	0.00	0.17	2.17	3.49	13.11	45.63
1997	10.35a	0.65	1.02	0.78	0.39	0.27	0.00	1.02	0.21	1.25	7.48	3.55	26.97
1998	12.01a	18.89	2.31	2.35	3.90	0.16	0.00	0.00	0.05	0.85	5.67	1.44	47.63
1999	4.21	11.33	4.13	2.62	0.05	0.03	0.00	0.00	0.12	0.94	3.19	0.88	27.50
2000	5.71	10.80	2.73	2.58	1.72	0.29	0.00	0.02	0.14	2.64	1.21a	1.59	29.43
2001	3.37	4.74	1.73	0.89	0.00	0.05	0.00	0.00	0.35a	0.75	8.58a	10.99a	31.45
2002	3.98a	2.53	2.66	0.48	1.23	0.00	0.00	0.00	0.00	0.00	3.95	9.97a	24.80
2003	2.99c	2.29	2.38	4.67	1.10	0.00	0.00	0.00	0.00	0.00	2.88a	7.95	24.26
2004	3.00a	6.31a	1.06	0.44	0.07	0.00	0.00	0.00	0.11	5.20	2.31a	10.43b	28.93
2005	5.66a	4.36	4.78	1.73	3.73	0.34	0.00	0.00	0.00	0.51	2.39a	15.22a	38.72
2006	5.38a	4.11	8.01	5.43	0.83	0.00	0.00	0.00	0.00	0.55	4.20	4.60	33.11
2007	0.47	5.93	0.03	2.05	0.37	0.00	0.03	0.00	0.15	2.03	0.65a	4.24a	15.95
2008	11.01a	3.82	0.21	0.15	0.21	0.00	0.00z	0.00z	0.00z	0.00z	0.00z	0.00z	15.40

Monthly Precipitation, Sonoma California

**Corresponds to data published by the Western Regional Climate Center.