



California Regional Water Resources Control Board

Central Coast Region



Linda S. Adams
Secretary for
Environmental Protection

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Arnold Schwarzenegger
Governor

May 3, 2010

Ms. Susan Whalen
Greka Oil & Gas, Inc.
PO Box 5489
Santa Maria, CA 93456

Dear Ms. Whalen:

SITE CLEANUP PROGRAM: UNION SUGAR LEASE - APPROVAL OF APPLICATION FOR REUSE OF NON-HAZARDOUS CRUDE OIL IMPACTED SOIL

The Central Coast Regional Water Quality Control Board (Water Board) has reviewed (1) the application of Greka Oil & Gas, Inc. ("Greka") submitted on September 5, 2006, for the reuse of non-hazardous, crude oil impacted soil at the Union Sugar Lease; and (2) the testing data for existing soil piles at the Union Sugar Lease submitted on September 17, 2006, as supplemented on February 27, 2007.

I.

In accordance with Water Board Order No. R3-2005-005, the Water Board approves Greka's reuse application with the following conditions:

1. The reuse material must be applied, maintained, and inspected in compliance with the waiver conditions described in Attachment A of Order No. R3-2005-005, including all annual reporting requirements.
2. This waiver enrollment is conditional and may be terminated by the Water Board for cause as described in Water Board Order No. R3-2005-005.

The reuse material may be used to maintain roads, construct and maintain containment berms, and/or construct and maintain approved waste pile management facilities. See the Western States Petroleum Association manual (attached) for recommended application of reuse material.

II.

In accordance with Water Board Order No. R3-2005-005, the Water Board also approves Greka's reuse of the following existing soil piles identified in Greka's application:

ID No.	Soil Pile Name	Est. Vol. (cy)	GPS Location	Reuse Status
31	Union Sugar Tank Battery Pile	400	34°55'52.02"N 120°30'08.75"W	Approved
32	Morganti Tank Battery Pile	1,500	34°51'13.23"N 120°31'08.47"W	Conditionally approved, subject to confirmation retesting ¹
33	Morganti Skim Pond Pile	100	34°51'10.83"N 120°31'08.56"W	Approved
34	Morganti 65 Pile	30	34°51'04.46"N 120°30'50.14"W	Approved

The Water Board's approval of the reuse of the soil piles identified in the above table is subject to the following conditions:

1. This approval is limited to only those piles listed above as identified by location and volume.
2. The soil piles may be reused only in compliance with the waiver conditions described in Attachment A of Order No. R3-2005-005, including all annual reporting requirements.

No petroleum or other waste-impacted soil(s) may be added to the soil piles or transferred from one pile to another prior to their reuse; the addition of any new material to any soil pile voids the approval of that soil pile for reuse, and Greka must dispose of any such pile at an appropriately licensed disposal facility.

¹ This pile is conditionally approved for reuse, subject to confirmation retesting as set forth in the settlement agreement dated May 3, 2010.



III.

In accordance with Water Board Order No. R3-2005-005, the Water Board does not approve the reuse of the following soil piles identified in Greka's application for the reasons stated:

ID No.	Soil Pile Name	Est. Vol. (cy)	GPS Location	Soil Pile Reuse Status
35	Arellanes 103 Pile	10	NA	Withdrawn from application; does not exist

If you have any questions, please contact Richard Chandler at (805) 542-4627 (email: rchandler@waterboards.ca.gov) or Sheila Soderberg at (805) 549-3592.

Sincerely,

for 
 Roger W. Briggs
 Executive Officer

Attachement: Western States Petroleum Guidance

cc:

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