

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION
1685 E Street, Fresno, California 93706

NOTICE OF PUBLIC HEARING

concerning

A RESOLUTION AUTHORIZING THE EXECUTIVE OFFICER TO ENTER INTO AN
AGREEMENT FOR MUTUAL RELEASE AND COVENANT NOT TO SUE WITH
DOWBRANDS, INC. AND EITHER SAINT ANTHONY'S BREAD BASKET, INC. AND THE FRESNO
COUNTY HOUSING AUTHORITY OR ROYAL OAKS BUSINESS PARK, LLC
FOR
THE PROPERTY AT 2696 SOUTH MAPLE AVENUE, FRESNO
FRESNO COUNTY, CALIFORNIA

Soil and groundwater at 2696 South Maple Avenue, Fresno, Fresno County (the "Property") has been degraded by solvents used in an auto parts manufacturing/rebuilding business that formerly operated at the Property. The current owners of the Property are in bankruptcy and do not have the funds to remediate the Property. Saint Anthony's Bread Basket, Inc., the Fresno County Housing Authority, and Royal Oaks Business Park, LLC (the "Prospective Purchasers") are interested in purchasing and re-developing the Property. In exchange for an agreement with the Central Valley Water Board limiting their liability, the Prospective Purchasers have each individually made proposals to carry out certain remedial activities at the Property. If the Resolution is approved by the Central Valley Water Board, the Board would enter into such an agreement with the Prospective Purchaser that first acquires title to the Property, and remedial activities would be conducted under Central Valley Water Board staff oversight.

DowBrands, Inc. formerly owned a facility upgradient of the Property at 4787 East Date Avenue, Fresno, Fresno County (the "DowBrands Property"). Activities at the DowBrands Property also degraded soil and groundwater with solvents, and degraded groundwater from the DowBrands Property has commingled with degraded groundwater from the Property. DowBrands is seeking assurances from the Central Valley Water Board that it will not incur liability for the cleanup of groundwater degradation that did not originate from the DowBrands Property.

A public hearing concerning this matter will be conducted during the Central Valley Water Board meeting scheduled for:

DATE: 3/4/5 October 2012
TIME: 8:30 a.m.
PLACE: Central Valley Regional Water Quality Control Board
11020 Sun Center Drive #200
Rancho Cordova, CA 95670-6114

The tentative Resolution was issued on **27 July 2012**. Persons wishing to comment on this item must submit testimony, evidence, if any, and/or comments in writing to the Central Valley Water Board no later than **5:00 p.m. on 27 August 2012**. Written materials submitted after this date and time will not be accepted and will not be incorporated into the administrative record if doing so would prejudice any party.

All parties may speak at the Central Valley Water Board meeting, and are expected to orally summarize their written submittals. Oral testimony and cross examination will be limited in time by the Board Chair. All parties may be asked to respond to clarifying questions from Board members, counsel, staff, or others, at the discretion of the Board Chair.

Anyone having questions on the tentative Resolution should contact Mr. Russell Walls at (559) 488-4392, or at rwalls@waterboards.ca.gov. Interested parties may download the proposed Order and related documents from the Central Valley Water Board's Internet website at:

http://www.waterboards.ca.gov/centralvalley/board_decisions/tentative_orders/

Copies of these documents can also be obtained by contacting or visiting the Central Valley Water Board's office at 1685 E Street, Fresno, CA 93706 weekdays between 8:00 a.m. and 5:00 p.m, or by contacting the person above.

The final meeting agenda will be available at:

http://www.waterboards.ca.gov/board_info/agendas/

at least ten days before the meeting. The agenda will provide the dates the Board meeting will be held, indicate the anticipated order of agenda items, and may include staff revisions to the proposed order(s).

The procedures governing Central Valley Water Board meetings may be found at California Code of Regulations, title 23, section 647 et seq. and are available upon request. The procedures may also be obtained by accessing:

http://www.waterboards.ca.gov/laws_regulations/

Information on meeting and hearing procedures is also available on the Board's website at:

http://www.waterboards.ca.gov/centralvalley/board_info/meetings/mtgprocd.shtml

or by contacting any one of the Board's offices. Questions regarding such procedures should be directed to Ms. Kiran Lanfranchi-Rizzardi at (916) 464-4839.

The hearing facilities will be accessible to persons with disabilities. Individuals requiring special accommodations are requested to contact Ms. Kiran Lanfranchi-Rizzardi at (916) 464-4839 at least 5 working days prior to the meeting. TTY users may contact the California Relay Service at 1-800-735-2929 or voice line at 1-800-735-2922.

Please bring the above information to the attention of anyone you know who would be interested in this matter.

Original signed by:

CLAY RODGERS, Assistant Executive Officer

27 July 2012