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## North Coast Regional Water Quality Control Board

April 17, 2023

Mansor Shokohi  
PO Box 419  
Little River, CA 95456

Overnight Carrier

Mansor Shokohi  
1798 Walnut Street, Apt 5  
Berkeley, CA 94709

Overnight Carrier

Emil Shokohi  
PO Box 866  
Albion, CA 95410

Overnight Carrier

Dear Mansor Shokohi and Emil Shokohi:

**Subject: Notice of Violation of Monitoring and Reporting Program Order No. R1-2009-0072**

Site: Shell, Albion: 3300 Highway 1, North, Albion, CA 95410  
Case No. 1TMC357, GeoTracker ID T0604500291

You are hereby notified that you are in violation of the [July 29, 2009, Monitoring and Reporting Program Order No. R1-2009-0072](https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/5291854679/09_0072_MRP_ShellAlbion_Revision_CSH.pdf) ([https://documents.geotracker.waterboards.ca.gov/regulators/deliverable\\_documents/5291854679/09\\_0072\\_MRP\\_ShellAlbion\\_Revision\\_CSH.pdf](https://documents.geotracker.waterboards.ca.gov/regulators/deliverable_documents/5291854679/09_0072_MRP_ShellAlbion_Revision_CSH.pdf)) (MRP or Order) that was issued under the authority of California Water Code (Water Code) Section 13267, that requires monitoring of groundwater and submission of technical reports.

### I. Background

On July 29, 2009, the North Coast Regional Water Quality Control Board (Regional Water Board) issued the MRP (attached) to the Dischargers (Mansor Shokohi and Emil Shokohi), for the Shell, Albion, located at 3300 Highway 1, North, in Albion, Mendocino County (Site). The MRP requires annual groundwater monitoring and reporting associated with an unauthorized release from former underground storage tanks (USTs) at the Site. The last groundwater monitoring event performed at the Site was in 2013 under the emergency, abandoned, recalcitrant (EAR) account. The EAR Account was established pursuant to Health & Safety Code sections 25299.51 and 25299.53 which authorizes the State Water Resources Control Board (State Water Board) to provide

funds to Regional Water Quality Control Boards (Regional Water Boards) and local agencies for direct site cleanup when a tank owner or operator or other responsible party (RP) fails or refuses to take the required corrective action in response to a directive or final order for corrective action work. The State Water Board is authorized to record a notice of lien on the affected property (subject site) for any and all costs incurred and payable from the EAR Account. Prior to the 2013 groundwater monitoring event performed under the EAR account, the last groundwater monitoring event performed by you was in 2008.

## **II. Applicable Legal Authority and Requirements**

The MRP cites Water Code section 13267 that allows the Regional Water Board to require monitoring of groundwater and submission of technical reports. The MRP requires annual groundwater monitoring and reporting.

## **III. Alleged Violations**

To date, the Regional Water Board has received no response to the MRP, and the Regional Water Board is not aware of any efforts made by the Dischargers or others to address the soil and groundwater for petroleum-related contamination or threatened impacts to water quality associated with the former USTs at the Site.

### **Required Actions**

As the Discharger, you must comply with all requirements of the July 29, 2009 Monitoring and Reporting Program Order No. R1-2009-0072 (MRP). If we do not receive a response from you intending to comply with the requirements of the MRP by **May 8, 2023**. Regional Water Board staff will recommend that the Board consider assessment of administrative civil liability and referral to the State Water Board's Office of Enforcement for additional action to obtain compliance with the Order. This deadline is not intended to, and does not, supersede the original deadlines and enforceability of those deadlines as set forth in the Order. Specifically, you shall:

Comply with the July 29, 2009, Monitoring and Reporting Program Order No. R1-2009-0072 by providing a schedule of implementation to perform annual groundwater monitoring consistent with the requirements of the MRP by May 8, 2023 and by July 1, 2023, submit an Annual Groundwater Monitoring Report.

All required compliance reports must be submitted to the Regional Water Board via the State Board's Geographic Environmental Information Management System database (GeoTracker) as specified in Title 23, California Code of Regulations (CCR) sections 3890-3895.

### **Future Enforcement Action**

Please note that, pursuant to Health and Safety Code section 25296.10 subdivision (f), if a person to whom an order is issued does not comply with the order, the Regional Water Board or the local agency may undertake or contract for corrective action and

seek to recover its costs incurred under this subdivision pursuant to Water Code section 13304.

Your continued failure to comply with the Order has exposed you to liability of up to \$10,000 for each day of violation pursuant to Health and Safety Code section 25299 subdivision (d). The potential liability will continue to accrue at a rate of \$10,000 per day until you comply with the Regional Water Board's Order.

The Regional Water Board will consider your response to this Notice of Violation, as well as the number of days of violation already incurred, in determining whether to recommend the imposition of an administrative civil liability and/or additional legal action. Therefore, it is imperative that you comply as soon as possible.

Should you have any questions regarding this matter, please contact Kelsey McLaughlin of my staff at [kelsey.mclaughlin@waterboards.ca.gov](mailto:kelsey.mclaughlin@waterboards.ca.gov) or (707) 576-2466.

Sincerely,

Heidi Bauer, P.G.  
Cleanups Unit Supervisor

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Attachment: July 29, 2009 Monitoring and Reporting Program No. R1-2009-0072

cc: Matthew Cohen, SWRCB, [matthew.cohen@waterboards.ca.gov](mailto:matthew.cohen@waterboards.ca.gov)  
Kenneth Dixon, USEPA, [dixon.kenneth@epa.gov](mailto:dixon.kenneth@epa.gov)  
Michael Harris, Redhorse Corporation, [michael.harris@redhorsecorp.com](mailto:michael.harris@redhorsecorp.com)  
McLean Reich, SWRCB, [mclean.reich@waterboards.ca.gov](mailto:mclean.reich@waterboards.ca.gov)