

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

TENTATIVE ORDER

AMENDMENT OF SITE CLEANUP REQUIREMENTS (ORDER NO. 01-094) FOR:

**ECO SERVICES OPERATIONS LLC (ECO SERVICES)
AND
SOLVAY USA INC. (SOLVAY)
MARTINEZ FACILITY
PEYTON SLOUGH PROJECT**

for the property located at

**100 MOCOCO ROAD
MARTINEZ
CONTRA COSTA COUNTY**

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

1. **Regional Water Board Orders:** The Regional Water Board adopted Site Cleanup Requirements (SCR) for the facility on August 15, 2001 (Order No. 01-094).
2. **Reason for Amendment:** The SCR is being amended to reflect a change in name and ownership, and to add the new owner as a discharger.
 - a. On **October 1, 2013**, Rhodia Inc. changed its name to Solvay USA Inc. (“Solvay”). On **December 1, 2014**, Eco Services Operations LLC became the owner and operator of the Martinez facility located at 100 Mococo Road, Martinez, California. This change in ownership requires that we amend all Findings in the SCR in which Rhodia was named as the owner or operator (Findings 3, and 4).
 - b. Rhodia Inc. was the primary discharger responsible for conditions contained in the facility’s SCR when the SCR was originally adopted in 2001. Solvay is named as a discharger to update the SCR to reflect the name change.
 - c. Eco Services is a discharger because it is the new owner and operator of the facility.
 - d. The term “Discharger” in the SCR shall refer to Eco Services and Solvay. This change applies to Finding 3 in the SCR, which defines the term discharger; and any Finding, Prohibition, Task, Provision, and Attachment (namely the Self-Monitoring Program) which references the discharger in the SCR.

3. **CEQA:** This action is an amendment of an order to enforce the laws and regulations administered by the Regional Water Board. The amendment does not require additional activities, investigations, or construction and therefore is not a “project” as defined in CEQA, and does not have a significant effect on the environment. (Cal. Code Regs., tit. 14 §§ 15378 and 15061, subd. (b)(3)).
4. **Notification:** The Regional Water Board has notified the Discharger and all interested agencies and persons of its intent under California Water Code section 13304 to amend SCR for the discharge, and has provided them with an opportunity to submit their written comments.
5. **Public Hearing:** The Regional Water Board, at a public meeting, heard and considered all comments pertaining to this discharge.

IT IS HEREBY ORDERED, pursuant to Section 13304 of the California Water Code, that Order No. 01-094 shall be amended as follows:

- A. The facility will be referred to as the Eco Services Martinez Facility. (Finding 2.a.)
- B. The owner and operator will be referred to as Eco Services. (Finding 2.c.)
- C. The Discharger shall be defined as Eco Services and Solvay. (Finding 2.d.)

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

Bruce H. Wolfe
Executive Officer

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FAILURE TO COMPLY WITH THE REQUIREMENTS OF THIS ORDER MAY SUBJECT YOU TO ENFORCEMENT ACTION, INCLUDING BUT NOT LIMITED TO: IMPOSITION OF ADMINISTRATIVE CIVIL LIABILITY UNDER WATER CODE SECTIONS 13268 OR 13350, OR REFERRAL TO THE ATTORNEY GENERAL FOR INJUNCTIVE RELIEF OR CIVIL OR CRIMINAL LIABILITY

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