



California Regional Water Quality Control Board Central Valley Region

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27 September 2006

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Mr. Joe Brais
103 West Highway 12
Valley Springs, CA 95252

Ms. Diana Vernazza
PO Box 527
Mountain Ranch, CA 95246

**CLEANUP AND ABATEMENT ORDER NO. R5-2006-0726, FORMER REECE'S EXXON,
103 HIGHWAY 12, VALLEY SPRINGS, CALAVERAS COUNTY**

We have prepared and issued the enclosed Cleanup and Abatement Order (CAO) No. R5-2006-0726 (Order). On 28 August 2006 we sent a draft copy of the CAO for your review. Mr. Drew Van Allan of Apex Envirotech (project consultant) called Kirk Larson of my staff, acknowledged receipt of the draft CAO and requested additional time be provided for the preparation of the Site History Report. No other comments were provided on the draft CAO. We extended the deadline for the Site History Report by two weeks. The CAO directs Ms. Diana Vernazza and Mr. Joe Brais to: 1) prepare a Site History, 2) prepare a Work Plan, 3) prepare a Problem Assessment Report, 4) conduct a Risk Assessment, 5) submit a Public Participation Plan, 6) submit a Final Remediation Plan, and 7) conduct site remediation. Compliance dates have been specified for completion of required tasks. Board staff is available to meet with you and discuss the requirements of CAO No. R5-2006-0726.

If you have any questions, please call Kirk Larson at (916) 464-4708.

Robert D. Busby, P.G., C.E.G.
Senior Engineering Geologist
UST Enforcement Unit II

APPROVED
author KTL
senior RDB

Enclosures: CAO No. R5-2006-0726 and Appendix A

- cc: Regional Board Members
David Boyers, State Water Resources Control Board, Office of Chief Counsel
Mark Bradley, State Water Resources Control Board, Enforcement Unit
Barbara Rempel, State Water Resources Control Board, UST Cleanup Fund, Sacramento
Jason Boetzer, Calaveras County Environmental Health Department, San Andreas
Drew Van Allan, Apex Envirotech, Gold River

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**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION**

CLEANUP AND ABATEMENT ORDER NO. R5-2006-0726

FOR

MS. DIANA VERNAZZA AND MR. JOE BRAIS
103 HIGHWAY 12, CALAVERAS COUNTY

This Order is issued to Ms. Diana Vernazza and Mr. Joe Brais, hereafter referred to as Dischargers, based on provisions of California Water Code section 13304, which authorizes the California Regional Water Quality Control Board, Central Valley Region (hereafter Water Board) to issue a Cleanup and Abatement Order (Order), and Water Code section 13267, which authorizes the Water Board to require preparation and submittal of technical and monitoring reports.

The Executive Officer finds, with respect to the Dischargers' acts or failure to act, the following:

PROPERTY OWNERSHIP AND OPERATIONS

1. Ms. Diana Vernazza is subject to this Order because she owned the property at 103 Highway 12 (Site) at the time that the UST system caused or permitted waste to be discharged to waters of the state where it has created a condition of pollution and nuisance. According to Calaveras County Assessor Records and UST Permit records Ms. Diana Vernazza and Mr. Ray Vernazza jointly owned the Site and the UST system from 1 July 1969 to 1997. In February 2005, Mr. Vernazza passed away.
2. Mr. Joe Brais is subject to this Order because he currently owns the property at 103 Highway 12, which continues to discharge to waters of the state where it has created a condition of pollution and nuisance.

BACKGROUND

3. On 1 July 1969, Mr. Ray Vernazza and Ms. Diana Vernazza purchased the property at 103 Highway 12, Valley Springs based on Calaveras County Assessor Records.
4. The Site was operated as a gasoline retailing station called Reese's Exxon at 103 Highway 12 until 1995. The remaining fuel in the USTs was removed in June 1997. The Site was later operated as a tire store for a short period of time.
5. On 15 June 1999, Mr. Joe Brais purchased the property at 103 Highway 12, Valley Springs according to Calaveras County Assessors Office records. Mr. Brais operates a used car sales lot at this location and no fueling operations or facilities remain.
6. In August 1999, five USTs, including two 1000-gallon, two 4000-gallon and one 6,000-gallon tank, product lines, and dispensers were removed. Contaminated soil and polluted groundwater were noted during the tank removal. Ten soil samples were collected from the UST excavation. Soil samples contained up to 4,530,000 micrograms per kilogram ($\mu\text{g}/\text{kg}$) of total petroleum hydrocarbons as gasoline (TPH-G) and

12,600 µg/kg of benzene. A water sample collected from the open UST excavation contained 1,070,000 micrograms per liter (µg/l) of TPH-G and 4,450 µg/l of MTBE.

7. On 24 August 1999, an Unauthorized Release Report was filed by Calaveras County, which names Mr. Ray Vernazza and Ms. Diana Vernazza as the responsible party for the unauthorized release of waste.
8. On 28 September 1999, Mr. Ray Vernazza and Ms. Diana Vernazza filed an application for the California State Water Board's UST Cleanup Fund (Fund) as UST owners and on 23 December 1999 were issued a letter of commitment by the Fund.
9. In October 1999, nine soil borings (V1 through V9) were advanced and 23 soil samples were collected. Three monitoring wells (V3, V6, and V7) were installed to approximately 20 feet below grade. Soil samples contained up to 1,100,000 µg/kg of TPH-G, 7,800 µg/kg of benzene, 5,500 µg/kg of toluene, 11,000 µg/kg of ethyl benzene, 19,000 µg/kg of xylenes, and 1,500 µg/kg of MTBE.
10. In 2001, 8 additional monitoring wells (V10, V12, V13, V13A, V18, V19, V20, and V22) were installed. The extent of groundwater pollution is not defined south, southeast, west, and possibly north of the Site. The groundwater plume extends off site south, southeast, and west of the Site.
11. In November 2003, four vapor extraction wells (VE-1 through VE-4) were installed and a vapor extraction pilot test was conducted. The Pilot Test showed that vapor extraction alone was only marginally successful, likely due to shallow groundwater conditions at the Site significantly reducing the radius of influence. The consultant concluded that soil vapor extraction may be more effective if groundwater elevations were depressed by groundwater extraction.
12. In November 2003, a sensitive receptor survey related to potential groundwater or surface water impacts was conducted but did not identify any sensitive receptors within 1000 feet of the Site. Approximately three domestic wells lie within 2000 feet of the Site.
13. In a 8 September 2005 letter, Board staff directed the dischargers to submit a *Corrective Action Plan* by 17 October 2005. The *Corrective Action Plan* was received on 8 December 2005. The *Corrective Action Plan* proposed to remediate the Site with an in-well air stripping treatment system installed in four source area wells (VW-1 through VW-4) and the treatment system would later be moved to wells on the margins of the plume. Additional monitoring wells will be required to monitor the system's effectiveness, particularly when the treatment system is moved to the lateral wells.
14. In a 24 March 2006 letter, Board staff concurred with the *Corrective Action Plan* and directed the dischargers to submit a Time Schedule and Work Plan for the implementation of the in-well air stripping treatment system by 8 May 2006. At the time of this Order, the Time Schedule and Work Plan have not been received.
15. Constituents of concern include TPH-G; benzene, MTBE, and Tert-butyl alcohol (TBA), have been detected at maximum concentrations of 66,000 µg/l, 14,000 µg/l, 4,900 µg/l, and 12,000 µg/l, respectively. No floating free phase product has been identified. The depth to groundwater at the Site varies from approximately 1 to 13 feet below ground

surface. These petroleum constituents constitute "waste" as defined in Water Code section 13050.

16. Using the Johnson & Ettinger model under standard default parameters for a commercial building and the groundwater concentrations and depth to groundwater identified in Finding 15, the cancer risk associated with vapors (based on benzene concentrations) migrating into the building near the former UST would be in excess of 1×10^{-4} , which exceeds the (1×10^{-6}) one in a million cancer risk threshold. It should be noted that significant soil contamination remains on site and it possible that there may be vapor migration issues associated with the residual soil contamination as well as from groundwater pollution.
17. As of 13 July 2006, Ms. Diana Vernazza has used \$105,068 of the State Cleanup Fund investigating this Site.

AUTHORITY – LEGAL REQUIREMENTS

18. Section 13304(a) of the California Water Code provides that::

"Any person who has discharged or discharges waste into waters of the state in violation of any waste discharge requirements or other order or prohibition issued by a regional board or the state board, or who has caused or permitted, causes or permits, or threatens to cause or permit any waste to be discharged or deposited where it is, or probably will be, discharged into the waters of the state and creates, or threatens to create, a condition of pollution or nuisance, shall upon order of the regional board clean up the waste or abate the effects of the waste, or, in the case of threatened pollution or nuisance, take other necessary remedial action, including but not limited to, overseeing cleanup and abatement efforts. Upon failure of any person to comply with the cleanup or abatement order, the Attorney General, at the request of the regional board, shall petition the superior court for that county for the issuance of an injunction requiring the person to comply with the order. In the suit, the court shall have jurisdiction to grant a prohibitory or mandatory injunction, either preliminary or permanent, as the facts may warrant."

19. Section 13304(f) of the California Water Code provides that:

"Replacement water provided pursuant to subdivision (a) shall meet all applicable federal, state and local drinking water standards and shall have comparable quality to that pumped by the public water system or private well owner prior to the discharge of waste"

20. Section 13267(b)(1) of the California Water Code provides that:

"In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge, waste outside of its region that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports

which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports."

21. Section 13304(c)(1) of the California Water Code provides that:

" . . . the person or persons who discharged the waste, discharges the waste, or threatened to cause or permit the discharge of the waste within the meaning of subdivision (a), are liable to that government agency to the extent of the reasonable costs actually incurred in cleaning up the waste, abating the effects of the waste, supervising cleanup or abatement activities, or taking other remedial actions. . . ."

22. The State Water Resources Control Board (hereafter State Board) has adopted Resolution No. 92-49, the *Policies and Procedures for Investigation and Cleanup and Abatement of Discharges Under Water Code Section 13304*. This Policy sets forth the policies and procedures to be used during an investigation or cleanup of a polluted site and requires that cleanup levels be consistent with State Board Resolution 68-16, the *Statement of Policy With Respect to Maintaining High Quality of Waters in California*. Resolution 92-49 and the Basin Plan establish the cleanup levels to be achieved. Resolution 92-49 requires the waste to be cleaned up to background, or if that is not reasonable, to an alternative level that is the most stringent level that is economically and technologically feasible in accordance with Title 23, California Code of Regulations (CCR) Section 2550.4. Any alternative cleanup level to background must (1) be consistent with the maximum benefit to the people of the state; (2) not unreasonably affect present and anticipated beneficial use of such water; and (3) not result in water quality less than that prescribed in the Basin Plan and applicable Water Quality Control Plans and Policies of the State Board.

23. Chapter IV of the Basin Plan contains the *Policy for Investigation and Cleanup of Contaminated Sites*, which describes the Water Board's strategy for managing contaminated sites. This strategy is based on Water Code Sections 13000 and 13304, the Title 27, Division 2, Subdivision 1 regulations, and State Water Board Resolution Nos. 68-16 and 92-49. The strategy includes site investigation, source removal or containment, information required to be submitted for consideration in establishing cleanup levels, and the bases for establishment of soil and groundwater cleanup levels.

24. The State Board adopted the *Water Quality Enforcement Policy*, which states in part: "At a minimum, cleanup levels must be sufficiently stringent to fully support beneficial uses, unless the RWQCB allows a containment zone. In the interim, and if restoration of background water quality cannot be achieved, the CAO should require the discharger(s) to abate the effects of the discharge. Abatement activities may include the provision of alternate water supplies." (*Enforcement Policy*, p. 19.)

25. The Water Board's *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins, 4th Edition* (hereafter Basin Plan) designates beneficial uses of the waters of the State, establishes water quality objectives (WQOs) to protect these uses, and establishes implementation policies to implement WQOs. The beneficial uses of the

groundwater beneath the Site are domestic, municipal, industrial, and agricultural supply. The wastes detected at the Site are not naturally occurring and some are known carcinogens. Pollution of groundwater with these wastes impairs or threatens to impair the beneficial uses of the groundwater.

26. WQOs listed in the Basin Plan include numeric WQOs, e.g., state drinking water maximum contaminant levels (MCLs), and narrative WQOs, including the narrative toxicity objective and the narrative tastes and odors objective for surface and groundwater. Chapter IV of the Basin Plan contains the *Policy for Application of Water Quality Objectives*, which provides that "[w]here compliance with narrative objectives is required (i.e., where the objectives are applicable to protect specified beneficial uses), the Water Board will, on a case-by-case basis, adopt numerical limitations in orders, which will implement the narrative objectives." The numerical limits for the constituents of concern listed in the following table implement the Basin Plan WQOs.

Constituent	Limits	WQO	Reference
Total Petroleum Hydrocarbons as Gasoline	5 µg/l	Tastes and Odors	McKee & Wolf, <i>Water Quality Criteria</i> , SWRCB, p. 230
Benzene	0.15 µg/l	Toxicity	California Public Health Goal (OEHHA)
MTBE	5 µg/l	Taste and Odor	Federal Register, Vol. 54, No. 97
TBA	12 µg/l	Toxicity	California State Action Level (DHS)

µg/L= micrograms per liter

27. The constituents listed in Finding No. 15 are wastes as defined in California Water Code Section 13050(d). The groundwater exceeds the WQOs for the constituents listed in Finding No. 26. The exceedance of applicable WQOs in the Basin Plan constitutes pollution as defined in California Water Code Section 13050(l)(1).

DISCHARGER LIABILITY

28. As described in Findings 1 and 2, the Dischargers are subject to an order pursuant to Water Code section 13304 because the Dischargers have caused or permitted waste to be discharged or deposited where it has discharged to waters of the state and has created, and continues to threaten to create, a condition of pollution or nuisance. The condition of pollution is a priority violation and issuance or adoption of a cleanup and abatement order pursuant to Water Code Section 13304 is appropriate and consistent with policies of the Water Board.
29. This Order requires investigation and cleanup of the Site in compliance with the Water Code, the Basin Plan, Resolution 92-49, and other applicable plans, policies, and regulations.

30. As described in Findings 5, 6, and 21, the Dischargers are subject to an order pursuant to Water Code section 13267 to submit technical reports because existing data and information about the Site indicate that waste has been discharged, is discharging, or is suspected of discharging, at the property, which is or was owned and/or operated by the Dischargers named in this Order. The technical reports required by this Order are necessary to assure compliance with Section 13304 of the California Water Code, including to adequately investigate and cleanup the Site to protect the beneficial uses of waters of the state, to protect against nuisance, and to protect human health and the environment.
31. If the Dischargers fail to comply with this Order, the Executive Officer may request the Attorney General to petition the superior court for the issuance of an injunction.
32. If the Dischargers violate this Order, the Dischargers may be liable civilly in a monetary amount provided by the Water Code.
33. The issuance of this Order is an enforcement action taken by a regulatory agency and is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000, et seq.), pursuant to Title 14 CCR Section 15321(a)(2). The implementation of this Order is also an action to assure the restoration of the environment and is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000, et seq.), in accordance with Title 14 CCR, Sections 15308 and 15330.
34. Any person affected by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with Title 23 CCR Sections 2050-2068. The regulations may be provided upon request and are available at www.swrcb.ca.gov. The State Board must receive the petition within 30 days of the date of this Order.

REQUIRED ACTIONS

1. IT IS HEREBY ORDERED that, pursuant to California Water Code Section 13000, Section 13304 and Section 13267, Ms. Diana Vernazza and Mr. Joe Brais shall:

Investigate the discharges of waste, clean up the waste, and abate the effects of the waste, forthwith, resulting from activities at the Former Reece's Chevron at 103 Highway 12, Valley Springs, in conformance with State Board Resolution No. 92-49 *Policies and Procedures for Investigation and Cleanup and Abatement of Discharges Under Water Code Section 13304* and with the Water Board's *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins* (in particular the Policies and Plans listed within the Control Action Considerations portion of Chapter IV).
"Forthwith" means as soon as is reasonably possible. Compliance with this requirement shall include, but not be limited to, completing the tasks listed below.
2. All work and reports shall follow the *Appendix A - Reports, Tri-Regional Recommendations for Preliminary Investigation and Evaluation of Underground Storage Tank Sites* (Appendix A - Reports) which is attached and made a part of this Order, and obtain permits required by State, County, and/or Local agencies.

Site History and Additional Investigation

3. By **18 October 2006**, submit a report to the best of the Discharger's abilities documenting the site's history since the tanks were installed, a chronology of the site's ownership and operator history, any evidence detailing the time and origin of the release, and fee title owner. Information in this report may be used to identify additional responsible parties who may be added to this or future orders.
4. By **16 November 2006**, submit a *Site Investigation Work Plan (Work Plan)* to collect a sufficient number of soil, soil vapor and groundwater samples to determine the lateral and vertical extent of waste constituents and complete site characterization. The Work Plan shall contain the information recommended for a Preliminary Investigation and Evaluation Report (PIER) as described in Appendix A.
5. Within 30 days of staff concurrence with the *Work Plan*, but no later than **20 December 2006**, implement the Work Plan in accordance with the approved time schedule, which shall become part of this Order.
6. Upon defining the extent of wastes, but no later than **15 January 2007**, submit a *Problem Assessment Report (PAR)* which includes information from the implementation of the Work Plan and sufficient detail on the nature and extent of the release to provide a basis for future decisions regarding subsequent cleanup and abatement actions. The PAR must also include a Site Conceptual Model illustrating the extent of known soil and groundwater impacts and the relationship between waste constituents and potential receptors.

Remediation

7. By **30 April 2007**, submit a Final Remedial Plan (FRP) to include the full implementation of the in-well air stripping treatment system. The FRP must include a detailed description of the remedial actions to address cleanup of the entire groundwater plume and impacted soils. The FRP shall also include a time schedule to implement all remedial actions, including the final system startup date.
8. Within 60 days of Water Board staff's approval of the FRP but no later than **2 July 2007**, begin implementation of the approved remedial actions.
9. Submit for remediation system(s), monthly status reports for the first three months of operation of any new systems. At a minimum, the monthly status reports shall include:
 - a. site maps indicating the capture zone and waste plumes,
 - b. average extraction rates of all treatment systems,
 - c. influent and effluent concentrations of TPHg, benzene, toluene, ethylbenzene, xylene, TBA, MtBE and other fuel oxygenates, 1,2 DCA, and EDB.
 - d. mass of hydrocarbons treated during the reporting period and cumulative to date,
 - e. estimated mass of wastes remaining and predicted time frame for meeting cleanup objectives,
 - f. running and down time for the remediation system(s),

- g. summary of consultant visits to the site, and
- h. evaluation of the overall remediation program and recommendations to correct deficiencies or increase efficiency.

Groundwater Monitoring

- 10. Monitor and sample **quarterly** all monitoring wells and threatened offsite water supply wells for TPHg, benzene, toluene, ethyl benzene, total xylenes, and fuel oxygenates including MtBE until otherwise directed in writing by the Executive Officer or his representative(s). Method Detection Limits (MDLs) shall be derived by the laboratory for each analytical procedure, according to State of California laboratory accreditation procedures. The MDLs shall reflect the detection capabilities of the specific analytical procedure and equipment used by the lab, rather than simply being quoted from USEPA analytical method manuals. In relatively interference-free water, laboratory-derived MDLs are expected to closely agree with published USEPA MDLs.
- 11. Submit Quarterly Status Reports by the 1st day of the second month after the calendar quarter in which the samples were collected. The first quarter report is due 1 May, the second quarter report is due 1 August, the third quarter report is due 1 November, and the fourth quarter report is due 1 February. Quarterly reports are to include the information specified in Appendix A.

Risk Assessment

- 12. By **27 December 2006**, submit a risk assessment to demonstrate whether the contamination poses unacceptable risks to human health or the environment. The site-specific risk assessment must use the Office of Environmental Health Hazard Assessment (OEHHA) toxicity data (California cancer slopes). If the risk assessment suggests that the contamination poses a threat to human health, the report shall include a Work Plan to abate the risk or exposure. The proposed abatement work shall begin within 60 days of approval by Water Board staff, or by **1 March 2007**, whichever is sooner.

Public Participation

- 13. By **29 January 2007**, submit a *Public Participation Plan*. The *Public Participation Plan* shall describe how the Dischargers will solicit the public's concerns and disseminate information to the public regarding the investigation and proposed cleanup activities at the sites. The *Public Participation Plan* shall be updated as necessary to reflect any significant changes in the degree of public interest as the site investigation and cleanup process moves toward completion.

GENERAL REQUIREMENTS

- 14. As required by the California Business and Professions Code Sections 6735, 7835, and 7835.1, have appropriate reports prepared by, or under the supervision of, a registered professional engineer or geologist and signed by the registered professional.

All technical reports submitted by the Dischargers shall include a cover letter signed by the Dischargers, or an authorized representative, certifying under penalty of law that the signer has examined and is familiar with the report and that to their knowledge, the report is true, complete, and accurate. The Dischargers shall also state if they agree with any recommendations/proposals and whether they approved implementation of said proposals.

15. Upon startup of any remediation system(s), operate the remediation system(s) continuously, except for periodic and required maintenance or unpreventable equipment failure. The Discharger shall notify the Water Board within 24 hours of any unscheduled shutdown of the remediation system(s) that lasts longer than 48 hours. This notification shall include the cause of the shutdown and the corrective action taken (or proposed to be taken) to restart the system. Any interruptions in the operation of the remediation system(s), other than for maintenance, emergencies, or equipment failure, without prior approval from Water Board staff or without notifying the Water Board within the specified time is a violation of this Order. Within 7 working days of a shutdown, the Dischargers shall submit a Technical Report containing at a minimum, but not limited to the following information:
 - a. times and dates equipment were not working,
 - b. cause of shutdown,
 - c. if not already restarted, a time schedule for restarting the equipment, and,
 - d. a Cleanup Assurance Plan to ensure that similar shutdowns do not reoccur. Proposed Cleanup Assurance Plans are to be completed within 30 days of the system shutdown.
16. Notify Water Board staff at least three working days prior to any onsite work, testing, or sampling that pertains to environmental remediation and investigation and is not routine monitoring, maintenance, or inspection.
17. Obtain all local and state permits and access agreements necessary to fulfill the requirements of this Order prior to beginning the work.
18. Continue any remediation or monitoring activities until such time as the Executive Officer determines that sufficient cleanup has been accomplished to fully comply with this Order and this Order has been either amended or rescinded in writing.
19. Optimize remedial systems as needed to improve system efficiency, operating time, and/or waste removal rates, and report on the effectiveness of the optimization in the quarterly reports.
20. Maintain a sufficient number of monitoring wells to completely define and encompass the waste plume(s). If groundwater monitoring indicates the waste in groundwater has migrated beyond laterally or vertically defined limits during the quarter, then the quarterly monitoring reports must include a work plan and schedule, with work to begin within thirty days of Water Board staff approval, to define the new plume limits.
21. Electronic copies of all reports and analytical results are to be submitted over the Internet to the State Water Board Geographic Environmental Information Management System database (GeoTracker) at <http://geotracker.swrcb.ca.gov>. Electronic

Ms. Diana Vernazza and Mr. Joe Brais
Former Reece's Exxon, 103 HWY 12
Calaveras County

submittals shall comply with GeoTracker standards and procedures as specified on the State Board's web site. Hard copy reports must be submitted to this office until such time as the Executive Officer determines that paper copies are no longer necessary.

22. If the Discharger is unable to perform any activity or submit any document in compliance with the schedule set forth herein, or in compliance with any work schedule submitted pursuant to this Order and approved by the Executive Officer, the Discharger may request, in writing, an extension of the time specified. The extension request shall include justification for the delay. Any extension request shall be submitted as soon as the situation is recognized and no later than the compliance date. An extension may be granted by revision of this Order or by a letter from the Executive Officer. Extension requests not approved in writing by the Executive Officer with reference to this order are denied.
23. All work and directives referenced in this Order are required regardless of whether or not the UST Cleanup Fund approves the work for reimbursement.
24. If, in the opinion of the Executive Officer, the Discharger fails to comply with the provisions of this Order, the Executive Officer may refer this matter to the Attorney General for judicial enforcement or may issue a complaint for administrative civil liability.

This Order is effective upon the date of signature.



PAMELA C. CREEDON, Executive Officer

(27 September 2006)