

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

CLEANUP AND ABATEMENT ORDER NO. R5-2006-0729

FOR

**CRYSTAL VIEW ENTERPRISES, Inc.**

6529 PONY EXPRESS TRAIL

EL DORADO COUNTY

This Order is issued to the Crystal View Enterprises, Inc., hereafter referred to as Discharger, based on provisions of California Water Code section 13304, which authorizes the California Regional Water Quality Control Board, Central Valley Region (hereafter Regional 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. According to El Dorado county records, William McFarland was the President and owner of Crystal View Enterprises, Inc. (a family owned corporation) that ran (and still runs) Crystal View Station (CVS) located at 6529 Pony Express Trail in Pollock Pines, California at the time of the release of petroleum hydrocarbons to groundwater. The case had been handled by El Dorado County as a soil contamination only case from 14 May 1994 until 2001 when the Regional Water Board assumed project lead.
2. After the death of Mr. McFarland, Mr. Tooraj Agahi (Mr. McFarlands's son in-Law) was elected president of the corporation on 1 January 2005.

**BACKGROUND**

3. On 11 July 1991, a small amount of diesel was spilled while a delivery was made. The spill area was cleaned up by removing affected soil to the satisfaction of the El Dorado County Environmental Management Department (EDCEMD). A small portion was noticed near the footing of the store that could not be removed.
4. On 14 May 1994 underground storage tanks (USTs) were removed from two separate pits (see enclosed Figure 1 from Carlton Engineering). Pit Number 1 contained one 4,000-gallon gasoline, one 5,000-gallon premium unleaded gasoline, and one 8,000-gallon unleaded gasoline. Pit Number 2 contained one 2,000-gallon kerosene, and one 2,000-gallon gasoline UST. The 2,000-gallon gasoline UST was previously abandoned in place in the 1980s by filling with concrete slurry, but was removed at the time of the 1994 removal of the adjacent kerosene UST. At the time of removal, a hole was noticed in the bottom of the gasoline UST. A 10,000-gallon diesel UST was closed in place in a third location because it was located under the northeast corner of the building.

5. The release most likely occurred from the gasoline UST in Pit Number 2, which was removed in 1994. It had been abandoned by filling with concrete slurry in the 1980s, but had a hole in the bottom when removed in 1994.
6. Confirmation soil samples from pit Number 1 indicates that the set of USTs may not have leaked from the tank walls, but from the fittings. The EDCEMD inspector noted that the USTs were in excellent condition and showed no signs of corrosion. It was noted that there was contamination in the UST backfill (which is also adjacent to the pump dispensers). Five confirmation soil samples were obtained from underneath the USTs. Only two samples contained detectable concentrations of petroleum hydrocarbons. One of these samples was only analyzed for total petroleum hydrocarbons as gasoline (TPHg) and as diesel (TPHd) and found to contain 450 mg/kg TPHg. A sample from underneath an adjacent UST was analyzed for TPHg, benzene, toluene, ethyl benzene, and total xylenes and found to contain 31 µg/kg benzene, 20 µg/kg toluene, and 8 µg/kg total xylenes. Approximately 1,000 cubic yards of soil was removed from pit Number 1 under the direction of the site consultant and the EDCEMD. The final depth of the excavation was not recorded, however, it is reported the excavation was extended down to the Mehrten Formation, a cemented mudflow that is crumbly to extremely hard throughout the site, and the lateral extent was confined to between two pump islands and the canopy footings.
7. Confirmation soil samples from under the 2,000-gallon gasoline UST in Pit Number 2 indicated that significant gasoline odors were present down to 15 feet below grade. A confirmation sample from underneath the kerosene UST contained 350 mg/kg total petroleum hydrocarbons as kerosene, 36,000 mg/kg total petroleum hydrocarbons as gasoline, 240 mg/kg benzene, 1,700 mg/kg toluene, 660 mg/kg ethyl benzene, and 2,400 mg/kg total xylenes. The excavation was immediately backfilled with the same petroleum impacted soil.
8. On 22 June 1994, the EDCEMD issued a letter ordering a work plan to address the soil contamination left in place in Pit Number 2. The work plan was not submitted.
9. The EDCEMD requested assistance from the Water Board in obtaining compliance. On 13 December 1996, the Water Board issued a letter referencing the EDCEMD's previous letter and requested a work plan by 15 February 1997 and a Preliminary Investigation and Evaluation Report by 2 June 1997.
10. On 5 May 1997, a Problem Assessment Report (PAR) was submitted. The PAR recommended further work on Pit Number 2. The work has not been completed.
11. On 1 April 2001, petroleum-impacted groundwater was encountered when a domestic well was being installed at 4883 Forebay Road, the residence of Mr. Haar. The EDCEMD sampled the well at the request of Mr. Haar. A water sample from the well

contained 1,800 µg/L TPHg, 25 µg/L benzene, 20 µg/L toluene, 0.82 µg/L ethyl benzene, 20 µg/L total xylenes, and 40 µg/L MtBE. The EDCEMD ordered Mr. Haar to obtain water from a local provider and ordered the well not be used for domestic purposes. At this point, the Water Board assumed lead of the case.

12. In August 2002, five monitoring wells were installed at CVS and a groundwater monitoring program initiated. Maximum groundwater concentrations encountered in the samples were 7,200 µg/L TPHg, 14,000 µg/L TPHd 7.2 µg/L benzene, 120 µg/L toluene, 52 µg/L ethyl benzene, 360 µg/L total xylenes, and 190 µg/L MtBE. Six more monitoring wells were added in August 2003.
13. On 18 February 2004, a domestic well located at 6448 Agra Road, identified in a sensitive receptor survey, was tested for petroleum constituents. The groundwater sample contained 5.1 µg/L benzene. The Regional Water Quality Control Board ordered that an alternate water supply be provided. The residents at 6448 Agra Road refused being supplied by the local water company, so bottled water was obtained and a carbon filtration unit was connected to their domestic well.
14. Recent EDCEMD information indicates there is at least one domestic well that was installed within 2,000 feet of the site since the last sensitive receptor survey was performed. The domestic well is located at 6430 Canyon Edge Road and was sampled at the well head and at the in-house sink tap (after the existing reverse osmosis water filter system). Both samples were non-detect for TPHg, benzene, toluene, ethyl benzene, total xylenes, and oxygenates.
15. State Water Board Cleanup Fund information indicates that the Discharger has more than one million dollars (\$1,000,000) remaining in the account for this site.
16. The soil remaining in Pit Number 2 is in excess of Region 2 environmental screening levels (ESLs) for all of the constituents listed in Finding No. 7 for direct exposure to soil construction/trench worker for soil below 10 feet bgs. Groundwater contamination under the site is in excess of the ESLs for TPHg, TPHd, benzene, toluene, ethyl benzene, total xylenes, MtBE, and TBA. Groundwater contamination off-site exceeds ESLs and water quality objectives for benzene, MtBE, and TBA. Depth to groundwater below the site and at the off-site domestic wells is in excess of 30 feet below ground surface. Vapor intrusion from groundwater is not likely (but possible from conduits such as monitoring wells, etc.). Vapor intrusion at unsafe levels at the on-site station building is also a possibility.
17. In October 2006, a portion of Pit Number 2 was excavated to seventeen feet bgs and sloped to fifteen feet bgs. A sidewall sample obtained from a pipe trench leading away from the pit and next to the building contained 2,500 mg/kg TPHd and 400 mg/kg TPHg. Approximately 300 cubic yards were removed and placed on plastic sheeting. The piles

were then covered with sheeting. The pit was backfilled with pea gravel and several four-inch PVC pipes were set in place for future remediation work.

## **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. A cleanup and abatement order issued by the state board or a regional board may require the provision of, or payment for, uninterrupted replacement water service, which may include wellhead treatment, to each affected public water supplier or private well owner. 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:

*"If the waste is cleaned up or the effects of the waste are abated, or, in the case of threatened pollution or nuisance, other necessary remedial action is taken by any government agency, 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 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 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, 4<sup>th</sup> 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 supply.
26. The wastes detected at the site are not naturally occurring, and some are known human carcinogens. Pollution of groundwater with these wastes impairs or threatens to impair the beneficial uses of the groundwater.
27. WQOs listed in the Basin Plan include numeric WQOs, e.g., state drinking water maximum contaminant levels (MCLs), by reference, 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)
Toluene	42 µg/L	Taste and Odor	Federal Register, Vol. 54, No. 97
Ethylbenzene	29 µg/L	Taste and Odor	Federal Register, Vol. 54, No. 97
Xylene	17 µg/L	Taste and Odor	Federal Register, Vol. 54, No. 97
MTBE	5 µg/L	Taste and Odor	Federal Register, Vol. 54, No. 97
TBA	12 µg/L	Toxicity	California Public Health Goal (OEHHA)

µg/  
L =  
mic  
rog  
ram  
s  
per  
liter

28. T  
h  
e

constituents listed in Finding No. 6 and 7 are wastes as defined in California Water Code Section 13050(d). The groundwater exceeds the WQOs for the constituents listed in Finding No. 27. The exceeding of applicable WQOs in the Basin Plan constitutes pollution as defined in California Water Code Section 13050(l)(1).

## DISCHARGER LIABILITY

29. As described in Findings 1 through 17, the Discharger is subject to an order pursuant to Water Code section 13304 because the Discharger has 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 or abatement order pursuant to Water Code Section 13304 is appropriate and consistent with policies of the Water Board.

30. This Order requires investigation and cleanup of the site in compliance with the California Water Code, the applicable Basin Plan, Resolution 92-49, and other applicable plans, policies, and regulations.
31. As described in Findings 1 through 17, the Discharger is 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 Discharger 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.
32. If the Discharger fails to comply with this Order, the Executive Officer may request the Attorney General to petition the superior court for the issuance of an injunction.
33. If the Discharger violates this Order, the Discharger may be liable civilly in a monetary amount provided by the Water Code.
34. 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.
35. 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](http://www.swrcb.ca.gov). The State Board must receive the petition within 30 days of the date of this Order.

## REQUIRED ACTIONS

**IT IS HEREBY ORDERED** that, pursuant to California Water Code Section 13000, Section 13304 and Section 13267, the *discharger* shall:

1. Investigate the discharges of waste, clean up the waste, and abate the effects of the waste, forthwith, resulting from activities at the Crystal View Station located at 6529 Pony Express Trail in Pollock Pines, California 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* (Basin Plan) 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 recommendations of *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 in accordance with permits required by State, County, and/or Local agencies.

### **SUPPLEMENTAL SITE ASSESSMENT**

3. By **29 December 2006** submit a *Supplemental 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 the site characterization. *The Work Plan* shall include a plan to identify, sample, and if necessary provide potable water to any owners of wells located off site impacted by the discharger. *The Work Plan* shall conform to recommendations in Appendix A.
4. Begin implementation of the Work Plan within **30 days** of staff concurrence, but no later than **28 February 2007**.
5. Submit results of the site investigation in a *Supplemental Site Investigation Report* in accordance with the approved time schedule, but no later than **28 April 2007**. The *Supplemental Site Investigation Report* shall include recommendations and, if needed, a second Work Plan for additional investigation. If additional investigation is necessary, the second Work Plan shall include a time schedule for completing the work and submitting the results.
6. Within **30 days** of staff concurrence with the Workplan for supplemental site assessment, and in accordance with the approved time schedule, implement the Workplan.
7. Upon defining the extent of wastes, but no later than **30 July 2007**, submit a new *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.

### **Feasibility Study**

8. By **30 September 2007**, submit a Feasibility Study that provides a summary of remedial alternatives evaluated to address applicable cleanup levels for the affected or threatened human health and/or waters of the State. The Feasibility Study shall propose at least two remedial technologies that have a substantial likelihood to achieve cleanup of all impacted soils and groundwater and shall include a schedule for achieving cleanup. The remedial technologies must be evaluated with respect to their ability to be implemented, cost, and effectiveness. The Feasibility Study shall include the rationale for selecting the preferred remedial alternative. The Dischargers shall attempt to clean up each constituent to background concentrations, or to the lowest level that is technically and economically achievable and which complies with all applicable WQOs of the Basin Plan and promulgated water quality criteria.

### **Remediation**

9. Within **90 days** of Water Board staff concurrence with the proposed remedial action described in the Feasibility Study but no later than **28 February 2008**, submit a Final Remedial Plan (FRP). The FRP must include a detailed description of the remedial actions to address cleanup of the entire groundwater plume and source area soils. The FRP shall also include a schedule to implement all remedial actions.
10. Within 60 days of Water Board staff's approval of the FRP but no later than **30 June 2008**, begin implementation of the approved remedial actions.
11. 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:
  - site maps indicating the capture zone and waste plumes,
  - average extraction rates of all treatment systems,
  - influent and effluent concentrations of TPHg, TPHd, benzene, toluene, ethylbenzene, xylene, MtBE and other fuel oxygenates, 1,2 DCA, EDB, Organic Lead, etc,
  - mass of hydrocarbons treated during the reporting period and cumulative to date,
  - estimated mass of wastes remaining and predicted time frame for meeting cleanup objectives,
  - running and down time for the remediation system(s),
  - summary of consultant visits to the site, and

- evaluation of the overall remediation program and recommendations to correct deficiencies or increase efficiency.

The Discharger shall insure that any soil vapor or groundwater extraction system(s) “zone of capture” completely envelops and controls the contamination plume(s) (lines of zero contamination in all targeted zones). If sampling results in any two consecutive months (or quarters) demonstrate that any part of the contamination plume(s) is not within the “zone of capture”, the Discharger shall include with the second status report a proposal to mitigate the condition. The proposed actions shall be completed within 60 days (adjust as appropriate) of staff approval of the proposal.

#### GROUNDWATER MONITORING

12. 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.
13. Submit **Quarterly Status Reports** by the 1<sup>st</sup> 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**

14. By **29 December 2006**, submit a work plan for a risk assessment to determine 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). By **28 February 2007**, submit the results of the risk assessment. If the risk assessment suggests that the contamination poses a threat to human health, the report shall include a workplan to abate the risk or exposure. The proposed abatement work shall begin within 60 days of approval by Water Board staff, or by **28 February 2008**, whichever is sooner.

### **Public Participation**

15. After **31 May 2007**, submit a *Public Participation Plan*. The *Public Participation Plan* shall 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**

16. 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 Discharger shall include a cover letter signed by the Discharger, 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 Discharger shall also state if they agree with any recommendations/proposals and whether they approved implementation of said proposals.
17. 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:

- times and dates equipment were not working,
- cause of shutdown,
- if not already restarted, a time schedule for restarting the equipment, and,
- 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.

18. 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.
19. Obtain all local and state permits and access agreements necessary to fulfill the requirements of this Order prior to beginning the work.
20. 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.
21. 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.
22. 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.
23. 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 submittals shall comply with GeoTracker standards and procedures as specified on the State Board's web site.
24. 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.

25. All work and directives referenced in this Order are required regardless of whether or not the UST Cleanup Fund approves the work for reimbursement.

26. 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 CREEDON, Executive Officer

---

20 November 2006

---