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## Central Valley Regional Water Quality Control Board

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION  
RESCISSION OF CLEANUP AND ABATEMENT ORDER R5-2007-0702  
FOR  
RONALD ALBERT KING, MARY DEAN KING JESSEN, DEAN MURPHY, AND  
THE SIDNEY N. THOMPkins LIVING TRUST  
MINARETS (AKA GEORGE'S) EXXON  
32917 ROAD 222, MADERA COUNTY

The California Regional Water Quality Control Board, Central Valley Region, (hereafter Central Valley Water Board) finds that:

1. Madera County records document that Ronald Albert King, Mary Dean King Jessen, Dean Murphy, and the Sidney N. Tompkins Living Trust (hereafter Dischargers) are the current or past owner, its representative and/or Site operator, therefore are considered a responsible party for the property at 32917 Road 222, North Fork, Madera County, which is further identified as Madera County Assessor's Parcel Number 060-160-008 (hereafter, Site).
2. A Site investigation performed in 1990 detected petroleum hydrocarbons in soil in the vicinity of four underground storage tanks (USTs) and dispensers. On 2 April 1990, the Madera County Environmental Health Department (MCEHD) issued an Unauthorized Release (Leak) Report for gasoline contaminants detected at the Site during a subsurface investigation.
3. By letter dated 8 November 2001, the MCEHD referred the case to the Central Valley Water Board for regulatory oversight. Central Valley Water Board staff (hereafter Staff) issued multiple letters requesting a corrective action workplan to perform a soil and groundwater investigation. However, the work was not conducted.
4. The Executive Officer, under authority of California Water Code (CWC) Section 13267, issued an order dated 28 April 2004, requiring the Dischargers to submit a technical report of the investigation.
5. On 1 March 2007, the Executive Officer issued Cleanup and Abatement Order (Order) R5-2007-0702 pursuant to CWC section 13304 because the Dischargers had caused or permitted waste to be discharged or deposited where it could be discharged to waters of the State and had created or threatened to create a condition of pollution and nuisance.

6. The Order required the Dischargers to investigate the discharges of waste, clean up the waste, and abate the effects of the waste forthwith at the Site, in conformance with State Water Board Resolution No. 92-49 Policies and Procedures for Investigation and Cleanup and Abatement of Discharges Under CWC section 13304 and with the Central Valley Water Board's Water Quality Control Plan for the Sacramento River and San Joaquin River Basins.
7. From April 2007 through November 2019, the Dischargers conducted Site investigation and remediation at the Site in accordance with the applicable regulations.
8. In May 2012, State Water Resources Control Board adopted a Low-Threat Underground Storage Tanks Case Closure Policy (Policy) to establish consistent statewide closure criteria for low-threat UST sites, to protect human health, safety, and the environment. The Policy states that cases that meet the Policy criteria do not require further corrective action and shall be issued a uniform closure letter consistent with Health and Safety Code section 25296.10.
9. The Policy supersedes Cleanup and Abatement Order No. R5-2007-0702 for the Site because the remaining requirements of the Order are now contained in the Policy.
10. Central Valley Water Board staff determined that the investigation carried out at the Site is in compliance with the Policy and requirements of subdivisions (a) and (b) of Section 25296.10 of the Health and Safety Code.
11. The Central Valley Water Board provided interested parties in the Site vicinity with the opportunity to comment on the proposed closure of the Site. A public notice was sent to interested parties, uploaded to the GeoTracker database, and posted on the Central Valley Water Board website on 1 May 2020. The public notice states that based on the information available in case files and the Geotracker database, Central Valley Water Board Staff conclude that the case meets closure criteria contained in the Policy. The contaminant plume in groundwater appears to be stable and/or decreasing. Any remaining petroleum hydrocarbons at the Site should continue to naturally attenuate and not adversely impact environmental quality, the beneficial uses of groundwater, or pose an unacceptable risk to human health. All technically and economically feasible cleanup has been completed. No adverse comments to closure were received during a 60-day comment period.
12. On 29 December 2020, Central Valley Water Board Staff issued a case closure letter in accordance with criteria contained in the Policy and the case closure requirements of Health and Safety Code section 25296.10.
13. Because all requirements of Order R5-2007-0702 and the Policy are satisfied, rescission of the Order is appropriate.

Any person aggrieved by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with CWC section 13320 and California Code of Regulations, title 23, sections 2050 and following. The State Water Board must receive the petition by 5:00 p.m., 30 days after the date of this Order, except that if the thirtieth day following the date of this Order falls on a Saturday, Sunday, or state holiday (including mandatory furlough days), the petition must be received by the State Water Board by 5:00 p.m. on the next business day. Copies of [the law and regulations applicable to filing petitions may be found on the Internet](#) or will be provided upon request.

([http://www.waterboards.ca.gov/public\\_notices/petitions/water\\_quality](http://www.waterboards.ca.gov/public_notices/petitions/water_quality))

**IT IS HEREBY ORDERED** that Cleanup and Abatement Order R5-2007-0702 is rescinded.

*Original Signed by Clay L. Rodgers for:*  
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PATRICK PULUPA, Executive Officer

*12/31/20*  
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Date