

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

CLEANUP AND ABATEMENT ORDER NO. R5-2008-0702
FOR
RESTRUCTURE PETROLEUM MARKETING SERVICES INC,
VRG PROPERTIES COMPANY AND JEM1, LLC.
FORMER "FILL'EM FAST"
1017 DOUGLAS BOULEVARD, ROSEVILLE, PLACER COUNTY

This Order is issued to Restructure Petroleum Marketing Services Inc, VRG Properties Company and JEM1, LLC, hereafter referred to as Dischargers, based on provisions of California Water Code (CWC) section 13304 and Health and Safety Code section 25296.10, which authorize the California Regional Water Quality Control Board, Central Valley Region (hereafter Regional Water Board) to issue a Cleanup and Abatement Order (Order), and CWC section 13267, which authorizes the Regional Water Board to require preparation and submittal of technical and monitoring reports. This Order is issued by the Assistant Executive Officer under CWC section 7, which authorizes the delegation of the Executive Officer's authority to a deputy.

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

PROPERTY OWNERSHIP AND OPERATIONS

1. Placer County records indicate that Raymond and Marjorie Lieser owned the property at 1017 Douglas Boulevard (Placer County assessor parcel number 013-194-027-000; site) when the initial unauthorized release was discovered beneath the site in January 1984, and also during March 1992 when a subsequent unauthorized release was discovered. Raymond and Marjorie Lieser are deceased and the current property owner, as of February 2003, is JEM1, LLC, for which John McIntosh is the agent for service of process. As the current property owner, JEM1, LLC is a Discharger.
2. Regional Water Board files indicate that Autotronic Systems, Inc., leased the site and was operating the underground storage tank (UST) system at the time of the initial 1984 release. Autotronic Systems, Inc., at the time a subsidiary of Diamond Shamrock, which is now Valero Energy Cooperation, operated the station under the name "Fill'Em Fast Gasoline." A predecessor of Valero Energy Cooperation was operating the site's former UST system at the time of the initial 1984 release; therefore, Valero Energy Cooperation is a Discharger. As part of an internal reorganization during 2007, Valero Energy Corporation separated all retail and refinery assets into two operating subsidiaries. The subsidiary responsible for managing all retail sites is VRG Properties Company, which is, therefore, the named Discharger for Valero Energy Corporation.
3. Autotronic Systems, Inc, operated the station from December 1971 until the site's lease was transferred to E-Z Serve Inc. in January 1985. As part of this January 1985 lease transfer agreement between Diamond Shamrock and E-Z Serve, E-Z Serve assumed all assets, liability, and environmental responsibility for the release identified in 1984. Subsequently, the site was known as E-Z Serve Inc. Service Station #100875 (E-Z Serve #100875). E-Z Serve Inc. operated the UST system until its removal in March 1992. On 22 April 1997, Restructure Petroleum Marketing Service, Inc. (RPMS)

purchased the stock of E-Z Serve Petroleum Marketing Company and E-Z Serve Petroleum Marketing Company of California. RPMS acquired all assets and assumed all liabilities of both petroleum-marketing companies. On 11 June 1997, the former E-Z companies were officially renamed to RPMS and Restructure Petroleum Marketing Services of California (RPMSCA). Since RPMS purchased E-Z Serve Petroleum Marketing Company, the company that owned and operated the UST system during an unauthorized release of petroleum hydrocarbons, RPMS is a Discharger.

BACKGROUND

4. On 26 January 1984, gasoline was discovered in a telephone utility vault on Keehner Avenue in the City of Roseville. As a result, nearby potential sources were investigated, and it was found that an unauthorized release of petroleum hydrocarbons had occurred at the site.
5. Pressure tests conducted on the site's UST system indicated that the premium gasoline delivery line was leaking, and based on gasoline loss figures, a total of 698 gallons of premium fuel was estimated to have been lost between October and December 1983. Autotronic Systems, Inc, initiated repairs to the line on 24 February 1984. In an effort to determine if the documented unauthorized release had impacted groundwater beneath the site, Autotronic Systems, Inc. installed four groundwater monitoring wells in April 1984. Groundwater samples collected from the four site wells indicated that groundwater beneath the site had been impacted with petroleum hydrocarbons.
6. Investigations continued and in March 1992 the site's three 10,000-gallon USTs and dispensers, of unknown age, were excavated and removed. The unauthorized release report submitted in March 1992 following the UST excavation indicated that an ongoing release had occurred at the site, and that the release stopped when the station ceased operation in 1990/91. Soil and groundwater samples collected beneath the site's former USTs in March 1992 indicated that an unauthorized release of petroleum hydrocarbons had occurred from the USTs in addition to the previous release reported from the fuel delivery line. All surface structures have been removed and the site is currently a vacant lot.
7. From 1984 to present, at the direction of the City of Roseville Fire Department and Regional Water Board staff, the Dischargers have conducted numerous investigative and remedial activities at the site. These activities include: removing a UST system; drilling of soil borings; installing groundwater monitoring wells; conducting a soil vapor survey; pilot testing remedial systems; and operating an air sparging and soil vapor extraction system. Also, periodic groundwater monitoring and sampling have been, and continue to be, conducted. Currently, the Dischargers have installed a total of six groundwater monitoring wells, five groundwater extraction wells, five dual purpose vapor extraction/air sparging wells, and eight air sparge wells. Additionally, all subsurface piping associated with the remedial wells is plumbed to the remedial compound.

8. The maximum concentrations of petroleum constituents in groundwater (reported in micrograms per liter [$\mu\text{g}/\text{l}$], which is approximately equivalent to parts per billion [ppb]) are:

Constituent	Maximum Concentration ($\mu\text{g}/\text{L}$)	Numerical Water Quality Limits ($\mu\text{g}/\text{L}$)
Total Petroleum Hydrocarbons as gasoline	440,000	5 ¹
Benzene	5,800	0.15 ²
Ethylbenzene	27,000	29 ¹
Toluene	22,000	42 ¹
Xylenes	150,000	17 ¹
Methyl Tertiary Butyl Ether (MtBE)	6,800	5 ¹
Tertiary Butyl Alcohol (TBA)	72	12 ³

1 - Taste & Odor Threshold

2 - California Public Health Goal

3 - California State Action Levels

These concentrations of petroleum constituents in groundwater are indicative of “free product” (i.e., liquid phase hydrocarbons) and constitute “waste” as defined in CWC section 13050. Although the petroleum constituent concentrations have decreased with time, they remain well above established numerical water quality objectives. Additionally, petroleum constituents associated with the unauthorized release have migrated south beneath Douglas Boulevard and the extent of the hydrocarbon plume south of Douglas Boulevard remains undefined.

9. Although Regional Water Board staff have worked closely with RPMS and the environmental consultants working on their behalf, RPMS has repeatedly failed to complete site work and submit technical reports as requested by Board staff, thereby delaying site investigation and cleanup.
10. Although no production wells are located within 2,000 feet of the site, the City of Roseville has 5 in-service municipal supply wells located within the city limits with plans to install seven additional municipal supply wells. Additionally, Dry Creek is located approximately 1,500 feet west and downgradient of the site.
11. A residential neighborhood borders the site to the north and the results of a shallow soil vapor survey indicate that petroleum hydrocarbon concentrations in soil vapor exceed screening levels for the potential intrusion of soil vapor to indoor air. The Dischargers have not conducted a Tier 2 Human Health Risk Assessment (HHRA) to further assess the risk of vapor intrusion into the adjacent residences.

12. RPMS applied to the UST Cleanup Fund (Fund) as the Owner and Operator of the site's UST system after the unauthorized release of petroleum hydrocarbons was discovered in 1992. The application was accepted by the Fund and assigned Claim #14064. To date, RPMS has utilized approximately \$500,000 of the \$1.5 million they are eligible to obtain through the Fund; therefore, approximately \$1 million in Fund money remains to complete the work as outlined in this Order.

AUTHORITY – LEGAL REQUIREMENTS

13. CWC section 13304(a) 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.”

14. CWC section 13304(f) 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”

15. Health and Safety Code section 25296.10(a) provides that:

“Each owner, operator, or other responsible party shall take corrective action in response to an unauthorized release in compliance with this chapter and the regulations adopted pursuant to Section 25299.3.”

16. CWC section 13267(b)(1) 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.”

17. CWC section 13304(c)(1) provides that:

“If 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. . .”

18. 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 Water Board's Water Quality Control Plan for the Sacramento and San Joaquin River Basins (4th Ed) (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 California Code of Regulations (CCR), title 23, 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.

19. Chapter IV of the Basin Plan contains the *Policy for Investigation and Cleanup of Contaminated Sites*, which describes the Regional Water Board's policy for managing contaminated sites. This Policy is based on CWC sections 13000 and 13304, CCR, title 27, division 2, subdivision 1, and State Water Board Resolution Nos. 68-16 and 92-49. The Policy 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.
20. 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.)
21. 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.
22. The wastes detected at the site are not naturally occurring, and some, one of which is benzene, are known human carcinogens. Pollution of groundwater with these wastes impairs or threatens to impair the beneficial uses of the groundwater.
23. 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)
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
TBA	12 µg/l	Toxicity	California Notification Level (DPA)
MTBE	5 µg/l	Taste and Odor	Federal Register, Vol. 54, No. 97

ug/L= micrograms per liter

24. The constituents listed in Finding No. 8 are wastes as defined in CWC section 13050(d). The groundwater exceeds the WQOs for the constituents listed in Finding No. 23. The exceeding of applicable WQOs in the Basin Plan constitutes pollution as defined in CWC section 13050(l)(1).

DISCHARGER LIABILITY

25. As described in Findings 1 through 3, the Dischargers are subject to an order pursuant to CWC 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 CWC section 13304 and Health and Safety Code section 25296.10 is appropriate and consistent with policies of the Water Board
26. This Order requires investigation and cleanup of the site in compliance with the CWC, the applicable Basin Plan, Resolution 92-49, and other applicable Water Board plans, policies, and regulations.
27. As described in Findings 1 through 3, the Dischargers are subject to an order pursuant to CWC 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 CWC section 13304 and Health and Safety Code section 25296.10, 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.
28. If the Dischargers fail to comply with this Order, the Assistant Executive Officer may request the Attorney General to petition the superior court for the issuance of an injunction.
29. If the Dischargers violate this Order, the Dischargers may incur civil liability under CWC section 13350 or other applicable statute.
30. 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 (Pub. Resources Code, § 21000 et seq.), pursuant to CCR, title 14, 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 (Pub. Resources Code, § 21000 et seq.), in accordance with CCR, title 14, sections 15308 and 15330.

31. Any person affected by this action of the Regional Water Board may petition the State Water Board to review the action in accordance with CCR, title 23 sections 2050-2068. The regulations are available from the California Office of Administrative Law's website at <http://www.oal.ca.gov/>. The State Water Board must receive the petition within 30 days of the date of this Order.

REQUIRED ACTIONS

IT IS HEREBY ORDERED that, pursuant to CWC sections 13000, 13304 and 13267, and Health and Safety Code Section 25296.10, Restructure Petroleum Marketing Services Inc, VRG Properties Company and JEM1, LLC shall:

1. Investigate the discharges of waste, clean up the waste, and abate the effects of the waste, forthwith, resulting from activities at the Former "Fill'em Fast," 1017 Douglas Boulevard, Roseville, Placer County 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 made a part of this Order and under permits required by State, County, and/or Local agencies. A copy of Appendix A – Reports can be obtained from our website at: http://www.waterboards.ca.gov/centralvalley/water_issues/underground_storage_tanks/tri-regionals_appendix_a.pdf

SITE HISTORY

3. By **6 June 2008** submit a report to the best of the Discharger's abilities documenting the site's history since the tanks were installed including a chronology of the site's ownership and operator history, any evidence detailing the time and origin of the release, and the fee title owner. Information in this report may be used to identify additional dischargers who may be added to this or future orders.

INVESTIGATION/REMEDATION

4. Implement the 12 February 2007 *Work Plan to Use CalClean Inc. (Work Plan)*, as approved by Regional Water Board staff in their 14 February 2008 letter, and by **6 June 2008**, submit a report documenting the completion of the proposed 60-day HVDPE & AS Test as outlined in the *Work Plan*. This report, as requested by Regional Water Board staff, must also include a modified Corrective Action Plan (CAP).

5. Within **60 days** of staff concurrence with the modified CAP, but no later than **29 August 2008**, implement the modified CAP in accordance with an approved time schedule established by Regional Water Board staff, which shall become part of this Order.
6. Submit **monthly** status reports for the first **three months** of system operation, and **quarterly** thereafter, for the proposed remedial system, as well as any subsequent systems that may be installed. 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 TPH-G, benzene, toluene, ethylbenzene, total xylenes, MTBE, and TBA.
 - Mass of hydrocarbons treated during the reporting period and cumulative to date.
 - Running and down time for the remediation system(s).
 - Summary of consultant visits to the site.
 - Evaluation of the overall remediation program and recommendations to correct deficiencies or increase efficiency.

These reports are in addition to the **Quarterly Status Reports** required under the Monitoring and Reporting Program.

7. By **29 August 2008**, submit a work plan to define the extent of the hydrocarbon plume in soil vapor and groundwater associated with your site. The work plan shall include a proposal to install groundwater monitoring wells south of Douglas Boulevard and soil vapor sampling wells adjacent to former onsite soil vapor samples SV-6 and S-10, and south of Douglas Boulevard. A sufficient number of soil, soil vapor, and groundwater samples shall be collected to determine the lateral and vertical extent of waste constituents and establish complete site characterization. The work plan shall contain a time schedule and information in Appendix A - Reports, which is made part of this Order.
8. Within **60 days** of staff concurrence with the work plan, but no later than **28 November 2008**, submit results of the site investigation outlined in the work plan in a *Site Investigation Report (SIR)*. The *SIR* shall include recommendations and, if needed, a second Workplan for additional investigation. If additional investigation is necessary, the Workplan shall include a time schedule for completing the work and submitting the results.
9. By **19 December 2008** submit a Offsite Corrective Action Plan (Offsite CAP), with a time schedule, to cleanup offsite hydrocarbon concentrations detected in groundwater south of Douglas Boulevard. Within **60 days** of staff concurrence with the Offsite CAP, but no later than **6 March 2009**, implement the Offsite CAP in accordance with an approved time schedule established by Regional Water Board staff, which shall become part of this Order.

RISK ASSESSMENT

10. By **6 June 2008** submit a work plan to conduct a human health risk assessment (HHRA). The assessment shall evaluate the risk the residual constituent mass remaining in soil and soil vapor beneath your site pose to human health. The assessment shall evaluate Baseline Carcinogenic Risk and Baseline Toxic Effects for both residential and commercial receptors. You are to evaluate for dermal absorption, ingestion, inhalation of dust, and volatilization to indoor air exposure scenarios. All constituent concentrations detected in soil within the top 10 feet of ground surface are to be considered when evaluating for dermal absorption, ingestion, and inhalation of dust, and soil vapor data is to be considered when evaluating for volatilization to indoor air. A one-in-a-million target risk level and a target hazard index of one are to be used.

Additionally, before completing the proposed risk assessment, you are to ensure that the inhalation Unit Risk Factors and/or Slope Factors for benzene, and MTBE comply with the values listed in OEHHAs Toxicity Criteria Database. Within **60 days** of staff concurrence with the HHRA work plan, you are to submit the results of the HHRA. If the risk assessment suggests that contamination poses a threat to human health, the report **shall** include a work plan to abate the risk or exposure, and the proposed abatement work shall begin within 60 days of approval by staff.

PUBLIC PARTICIPATION

11. By **6 June 2008**, 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.

GROUNDWATER MONITORING

12. Conduct monitoring of existing wells, any additional wells, and any operating remedial system or remedial efforts in accordance with MRP No. R5-2008-0809 or any revised MRP issued by the Assistant Executive Officer or the Regional Water Board.
13. Submit **Quarterly Status Reports** by the 15th day of the month after the calendar quarter in which the samples were collected. The first quarter report is due **15 April**, the second quarter report is due **15 July**, the third quarter report is due **15 October**, and the fourth quarter report is due **15 January**. Quarterly reports are to include the information specified in Appendix A – Reports.

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, and where required stamped, 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 Dischargers 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.
 - 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 work.
18. Continue any remediation or monitoring activities until such time as the Assistant 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.waterboards.ca.gov>. Electronic copies are due to GeoTracker concurrent with the corresponding hard copy delivered to this office. Electronic submittals shall comply with GeoTracker standards and procedures as specified on the State Board's web site.
22. If the Dischargers are 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 Assistant Executive Officer, the Dischargers 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 Assistant Executive Officer. Extension requests not approved in writing by the Assistant 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 the Dischargers fail to comply with the provisions of this Order, the Assistant Executive Officer may refer this matter to the Attorney General for judicial enforcement and/or may issue a complaint for administrative civil liability.

This Order is effective upon the date of signature.

JACK DEL CONTE,
Assistant Executive Officer

3 April 2008