



Central Valley Regional Water Quality Control Board

01 December 2021

Global Capital Trust
Attn: Larry Odbert, CEO
4724 T Street
Sacramento, CA 95819

CERTIFIED MAIL
7011 2970 0003 8939 4515

Larry Odbert
16895 Ocean Drive
Fort Bragg, CA 95437

7011 2970 0003 8939 4508

Cheechako, L.P.
Attn: Robert Wiemer Jr.
4732 Illinois Avenue
Fair Oaks, CA 95628

7011 2970 0003 8939 4492

Robert Wiemer Jr.
468 Tennyson Drive
Stephenville, TX 76401

7011 2970 0003 8939 4485

**SUBJECT: HEALTH AND SAFETY CODE SECTION 25296.10 DIRECTIVE TO
SUBMIT GROUNDWATER MONITORING REPORT**

**SITE: B & B AUTOMOTIVE, 10500 FAIR OAKS BOULEVARD, FAIR OAKS,
CALIFORNIA, GEOTRACKER GLOBAL ID #T0606700265,
LUST CASE #340333,**

Dear Mr. Odbert and Mr. Weimer:

On 19 March 2021, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) received a case transfer from the Sacramento County Environmental Management Department (SCEMD) regarding an unauthorized release of a hazardous substance from an underground storage tank at 10500 Fair Oaks Boulevard, Fair Oaks, California (Site). Pursuant to California Health and Safety Code section 25296.10, you have been identified as a responsible party and are required to take corrective action to ensure the protection of human health, safety, and the environment. Corrective action requirements are set forth in California Code of Regulations (CCR), title 23, sections 2720 – 2727.

KARL E. LONGLEY ScD, P.E., CHAIR | PATRICK PULUPA, ESQ., EXECUTIVE OFFICER

While the Central Valley Water Board would prefer to work with you on a cooperative basis, we are required to ensure that the threat to water quality from the unauthorized release is fully characterized and abated as required by the laws and regulations set forth above.

A. Responsible Party Determination

The term “responsible party” is defined in CCR, title 23, section 2720 to include:

1. Any person who owns or operates an underground storage tank used for the storage of any hazardous substance;
2. In the case of any underground storage tank no longer in use, any person who owned or operated the underground storage tank immediately before the discontinuation of its use;
3. Any owner of property where an unauthorized release of a hazardous substance from an underground storage tank has occurred; and
4. Any person who had or has control over a underground storage tank at the time of or following an unauthorized release of a hazardous substance.

Global Capital Trust is a responsible party under CCR, title 23, section 2720(3) because it is the current owner of the Site.

Cheechako, L.P. is a responsible party under CCR, title 23, section 2720(2) because it, as the former property owner, had control over the underground storage tanks at the time the unauthorized release occurred.

Each responsible party is required to comply with the requirements in this directive, regardless of any agreement between the parties. The Central Valley Water Board strongly encourages that the responsible parties communicate with each other and coordinate the response to ensure timely compliance with this directive.

B. Required Corrective Action

You are required to take or contract for corrective action as necessary to abate or correct the actual or potential effects of an unauthorized release. The corrective action required for this Site includes implementation of the verification monitoring phase.¹

The verification monitoring phase includes all activities required to verify implementation of the Corrective Action Plan and evaluate its effectiveness. (Cal. Code Regs., tit. 23, § 2727.) Specifically, as the responsible party, you are required to submit monitoring data and an evaluation of the results of such monitoring in writing on a schedule and for a duration agreed to by the Central Valley Water Board.

You are also required to submit a groundwater monitoring report within **90 days of the date of this directive**. Technical reports must be signed and stamped by a California Professional Engineer or a California Professional Geologist. Laboratory analyses must be performed by a laboratory that is certified by the State of California for the analyses being conducted.

¹ The scope of corrective action may include one or more of the following phases: (1) preliminary site assessment phase, (2) soil and water investigation phase, (3) corrective action plan implementation phase, and (4) verification monitoring phase. (Cal. Code Regs., tit. 23, § 2722, subd. (a).)

The groundwater monitoring report and monitoring data must be submitted to the Central Valley Water Board via the State Water Resources Control Board's Geotracker database in accordance with CCR, title 23, sections 3890 – 3895. Additional information about Geotracker can be found here: <http://geotracker.waterboards.ca.gov/>.

C. Enforcement

Pursuant to Health and Safety Code section 25299, subdivision (d), any person who violates any corrective action requirement established by, or issued pursuant to, Health and Safety Code section 25296.10 is liable for a civil penalty of not more than ten thousand dollars (\$10,000) for each underground storage tank for each day of violation. A civil penalty may be imposed by civil action pursuant to Health and Safety Code section 25299, subdivision (d) (2) or imposed administratively by the Central Valley Water Board pursuant to Water Code sections 13323 through 13328.

In addition, the property may be nominated to the Emergency, Abandoned, and Recalcitrant (EAR) Program. Under this program, a contractor from the State Department of General Services will perform the required investigation and cleanup using EAR account funding, and recover the cost incurred through placing a lien on the property or referring the case to the Attorney General's Office to file a civil action.

If you have any questions regarding this directive, please contact Alan M. Buehler, Engineering Geologist, at (916) 464-4615 or alan.buehler@waterboards.ca.gov.

Sincerely,

Original Digitally Signed by John J. Baum on
Date: 2021.12.01 18:28:35 -08'00'

For Patrick Pulupa
Executive Officer
Central Valley Water Quality Control Board

cc: Galvin Kauffman, Central Valley Water Quality Control Board (email)
Matt Cohen, State Water Resources Control Board (email)
Steven Watson, Agency for Service, Global Capital Concepts Inc., 4925 T Street,
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