

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL VALLEY REGION

CLEANUP AND ABATEMENT ORDER NO. R5-2007-0718

FOR

RICHARD LINDEMAN  
FORMER DOWNTOWN SMOG AND AUTO REPAIR  
RED BLUFF

TEHAMA COUNTY

This Order is issued to ***Richard Lindeman***, individually, 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 Regional Water Board to require preparation and submittal of technical and monitoring reports.

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

**INTRODUCTION**

1. The former Downtown Smog and Auto Repair is located at 550 Main Street, Red Bluff, Tehama County, Section 20, T27N, R3W, MDB&M, as shown in Attachment A which is attached to this Order. The property is currently occupied by a franchise drive-through coffee stand.
2. The real property was historically used as a gasoline service station and automobile repair facility. Three gasoline underground storage tanks (USTs), one waste oil UST, two fuel islands, an office, and a garage were located at the facility. Total petroleum hydrocarbons (TPH)-gasoline and related constituents have been measured in the groundwater beneath the facility at concentrations exceeding water quality objectives (WQOs).

**PROPERTY OWNERS AND OPERATORS**

3. Ownership and operation varied during the history of this facility. While at times property owners would also operate the facility, the gasoline service station infrastructure (tanks, lines, and dispensers) and automotive repair building were often leased to individual operators.
4. The following information regarding the historic ownership and operation of this property was provided in an article entitled *Red Bluff's Gasoline Alley* by Mary Lee Grimes published in the 2004 issue of *Memories* by the Tehama County Genealogical and Historical Society:

*“...[O]n Main and Oak Street, there was the Associated or Flying A Station, which was operated by Godfrey “Bob” Barta for 17 years...Mr. Barta owned the station and the property on which it was located. From 1934 – 1940 the station operated under the name of the Lassen View Service Station. In 1941, until it changed operators in 1943, it was known as Bob Barta’s Service Station. In 1943 long-time resident Durwood Larkin took over the station. From 1944 – 1950 Mr. Larkin was in partnership with Al Edwards at the 550 Main Street location. Mr. Larkin continued to run the Associated station until he sold the business in 1967.”*

A photograph of the western dispenser island dated between 1943 and 1967 was included with this article.

5. In a 24 May 2007 telephone conversation with Regional Water Board staff, the Discharger recalled the following regarding his ownership, operation, and leasing of the real property and associated infrastructure:

- 1970.** Leased and operated the service station and repair shop.
- 1975.** Purchased the property from Ruth Barta, wife of Bob Barta (referenced in Finding 4).
- 1982.** As property owner, leased the gasoline dispensers and garage to another operator for nine years. During this time, a Shell Station and a front-end repair facility operated.
- 1991.** Removed the gasoline dispensers and resumed operation of the garage as Downtown Smog and Auto Repair.
- 1992.** Removed the gasoline and waste oil USTs. (*Note: reports in the case file indicate the USTs were removed in 1994.*)
- 1995.** As property owner, leased the garage for one year.
- 1996.** Resumed operation of the garage as Downtown Tire and Auto Repair.
- 2001.** Removed remaining infrastructure (garage, restrooms, and office building). As property owner, leased the property to a franchise coffee stand.

The Discharger recalled piping from the waste oil tank to the northeast alley and presumed that this tank eventually discharged to sewer. The Discharger noted that the dates recalled are approximate. Regional Water Board staff has not verified the accuracy of the information provided by the Discharger.

6. Richard Lindeman has been named the responsible party for cleanup at 550 Main Street, Red Bluff, Tehama County, because he owned and operated the service station at the subject real property and is the current owner of the real property. Based on current Regional Water Board record, there is insufficient evidence to link prior owners and operators to the waste discharged. However, the Regional Water Board may amend this Order if new evidence identifies additional responsible parties.

### **SITE BACKGROUND**

7. The 120-foot by 75-foot rectangular site (approximately 0.2-acres) is in the downtown commercial/retail section of Red Bluff. It is bound by Main Street to the northwest, Antelope Boulevard (historically "Oak Street") to the northeast, an unnamed alley to the southeast, and a commercial building to the southwest. The layout of the historic facility is presented in Attachment B, which is attached to this Order.
8. The real property is located approximately 298 feet above mean sea level (ft above msl). Site topography is relatively flat, gently sloping towards the northeast. Regional surface drainage in the vicinity of the site flows towards the Sacramento River, which is located approximately 800 feet north of the site.
9. Two 6,000-gallon gasoline USTs and one 10,000-gallon gasoline UST were on the southwest portion of the site. Additionally, a 350-gallon underground waste oil tank was on the northern portion of the site adjacent to the garage. The tanks' installation dates are unknown.
10. Reports provided in the case file indicate all four USTs were removed in January 1994. Elevated concentrations of TPH-gasoline were measured in soil samples collected from beneath the gasoline tanks, piping and dispenser island. Based on the release discovered following the UST removals, a Leak Report was filed by the Discharger in February 1994. Tehama County Environmental Health referred this case to the Regional Water Board for lead enforcement in October 1994.
11. In the 25 May 2001 sensitive receptor survey, domestic and industrial wells within 2,000 feet of the subject site were identified. A 52-foot industrial well and a 310-foot municipal well were located between the subject site and the Sacramento River.

### **SUBSURFACE CONDITIONS**

12. The site is underlain by gravel of the Quaternary Red Bluff Formation and interbedded gravel, sand, and silt of the Quaternary Riverbank Formation. Boring logs indicate silty sand and sandy silt to depths of 6 to 12 feet below ground surface (ft bgs). At greater depths, sand and silt are interbedded with deposits of sandy/clayey gravel. Shallow groundwater generally ranges between 15 and 20 ft bgs. Groundwater flows north towards the Sacramento River, under a hydraulic gradient of 0.91.
13. Several limited subsurface investigations have been performed at the subject site. A summary of those investigations is provided in the following paragraphs. Sampling locations are shown in Attachment C, which is attached to this Order.
  - In August 1994, groundwater samples were collected from three borings located either crossgradient or downgradient of the gasoline UST excavation. TPH-gasoline concentrations ranged from 2,200 to 41,000 ug/L, and benzene concentrations ranged from 16 to 540 ug/L. The boring north of the excavation was converted to a groundwater monitoring well (MW-1).

- In March 2001, four borings were installed and two were converted to groundwater monitoring wells (MW-2 and MW-3). The borings were located crossgradient and downgradient of the gasoline UST excavation. In these four borings, TPH-gasoline concentrations ranged from 1,200 to 2,600 ug/L, and benzene concentrations ranged from 5 to 34 ug/L. The horizontal and vertical extent of TPH-gasoline and benzene contamination in groundwater was not defined.
  - In August 2004, two borings were installed and converted to groundwater monitoring wells (MW-4 and MW-5). Groundwater sampling of off-site well MW-4 suggested upgradient impacts. No pollutants were measured in downgradient well MW-5, however there were concerns regarding the influence of landscape irrigation around MW-5.
  - In January 2007, three borings were installed on the east, west, and north property boundaries and one boring was installed within the former gasoline UST excavation. No groundwater pollutants were detected in the perimeter borings. However pollutants were detected in the five depth-discrete groundwater samples collected in the boring located within the excavation. At the final depth of 35 ft bgs, TPH-gasoline was measured at 5,200 ug/L. The vertical extent of groundwater contamination has not been defined.
14. Six groundwater samples collected from MW-1, MW-2, and MW-3 in 2002 were analyzed for TPH-diesel. TPH-diesel was not detected above 50 ug/L in any of these samples.
15. The one off-site and four on-site groundwater monitoring wells have been sampled quarterly since their respective installations. A summary of the maximum gasoline-related pollutant concentrations measured during the last four sampling quarters is provided in the following table.

**Maximum Groundwater Sampling Results,  
 2Q2006 to 1Q2007 (ug/L)**

<b>Constituent</b>	<b>TPH-gasoline</b>	<b>Benzene</b>	<b>Toluene</b>	<b>Ethyl-benzene</b>	<b>Xylenes</b>	<b>Fuel Oxygenates</b>
MW-1	1,600	18	20	20	37	ND
MW-2	3,300	9.0	47	28	27	ND
MW-3	3,100	120	16.0	43	180	ND
MW-4	2,500	ND	8.80	11	17	ND
MW-5	ND	ND	ND	ND	ND	ND

Note: Fuel oxygenates: methyl-tert-butyl ether (MTBE), tert-butyl alcohol (TBA), diisopropyl ether (DIPE), tert-amyl methyl ether (TAME), and ethyl tert-butyl ether (ETBE).

16. In the 9 April 2007 *Additional Subsurface Investigation Report* for Downtown Smog and Auto Repair, the consultant recommended an additional investigation to characterize shallow groundwater and evaluate in-situ bioremediation remedial technologies. In a 24 May 2007 electronic message, the consultant proposed preparation of a corrective action plan and pilot study work plan during June and July 2007.
17. Pollution at this site was documented in 1994 during removal of the four on-site USTs. The vertical and horizontal extent of pollution has yet to be delineated, the direction of groundwater flow has not been established, and the Discharger has not implemented corrective action. This Order is necessary to establish an implementation schedule for corrective action.

### **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 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 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 WQOs to protect these uses, and establishes implementation policies to implement WQOs. The designated beneficial uses of the groundwater beneath the Site are domestic, municipal, industrial, and agricultural supply.

23. 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.

24. Chapter IV of the Basin Plan contains the *Policy for Investigation and Cleanup of Contaminated Sites*, which sets forth the Regional Water Board's policy for managing contaminated sites. This policy is based on Water Code Sections 13000 and 13304, Title 23 CCR, Division 3, Chapter 15, and Title 27, Division 2, Subdivision 1 regulations, 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 basis for establishing soil and groundwater cleanup levels.
25. 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.*)"
26. The petroleum hydrocarbon wastes detected at the site are not naturally occurring, and some are known human carcinogens. These wastes impair or threaten 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), 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 Regional Water Board will, on a case-by-case basis, adopt numerical limitations in orders which will implement the narrative objectives." Testing of petroleum hydrocarbons has identified a number of constituents that are not present in groundwater unaffected by the discharge and that could exceed a narrative WQO. All of these are constituents of concern. The numerical limits for the constituents of concern listed in the following table implement the Basin Plan WQOs.

Constituent	Limits	WQO	Reference
TPH-gasoline	5 ug/L	Tastes and Odors	McKee & Wolf, <i>Water Quality Criteria</i> , SWRCB, p. 230
Benzene	0.15 ug/L	Toxicity	California Public Health Goal (OEHHA)
Toluene	42 ug/L	Taste and Odor	Federal Register, Vol. 54, No. 97
Ethylbenzene	29 ug/L	Taste and Odor	Federal Register, Vol. 54, No. 97
Xylene	17 ug/L	Taste and Odor	Federal Register, Vol. 54, No. 97

28. The constituents listed in Finding 15 are wastes as defined in California Water Code Section 13050(d). The groundwater exceeds the WQOs for the constituents listed in Finding No. 27. TPH-gasoline and benzene, toluene, ethyl benzene, and xylene (BTEX) compounds all exceed related numerical limits. The exceedance of applicable WQOs in the Basin Plan constitutes pollution as defined in California Water Code Section 13050(l)(1).
29. TPH-gasoline and BTEX compounds are present in groundwater due to the disposal of wastes from the Site, are injurious to health or impart objectionable taste and odor when present in drinking water, and affect a considerable number of persons. As such, a condition of nuisance is created, as defined in California Water Code Section 13050(m).

### **DISCHARGER LIABILITY**

30. 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 Regional Water Board
31. 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.
32. The Discharger is subject to an order pursuant to Water Code section 13267, which requires submittal of 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.
33. 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.
34. If the Discharger violates this Order, the Discharger may be liable civilly in a monetary amount provided by the Water Code.
35. 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.

36. Any person affected by this action of the Regional 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.

IT IS HEREBY ORDERED that, pursuant to California Water Code Division 7, including Section 13304 and Section 13267, Richard Lindeman, individually, (hereafter Discharger) shall:

Further investigate waste discharged from former petroleum facilities at 550 Main Street, Red Bluff, Tehama County, and cleanup the waste and abate the effects of such waste, forthwith, in conformance with State Water Resources Control Board Resolution No. 92-49 *Policies and Procedures for Investigation and Cleanup and Abatement of Discharges Under Water Code Section 13304* and with the Regional Water Board's *Water Quality Control Plan for the Sacramento River and San Joaquin Basins* (in particular the Policies and Plans listed within the Control Action Considerations portion of Chapter IV), other applicable state and local laws, and consistent with HSC Division 20, chapter 6.8. "Forthwith" means as soon as is reasonably possible.

All work and reports shall follow the *Appendix A - Reports, Tri-Regional Recommendations for Preliminary Investigation and Evaluation of Underground Storage Tank Sites* (which may be found at [http://www.waterboards.ca.gov/centralvalley.available\\_documents](http://www.waterboards.ca.gov/centralvalley.available_documents)) and under permits required by State, County, and/or Local agencies.

Compliance with this requirement shall include, but not be limited to completing the tasks listed below. The Discharger shall:

1. **By 1 August 2007**, submit a draft corrective action plan (CAP) that evaluates corrective actions that have a substantial likelihood to achieve cleanup of all petroleum-impacted soils and groundwater based on all available site investigation information, including tank removal reports, boring logs, and sampling data. The corrective actions must be evaluated with respect to implementability, cost, and effectiveness. The draft CAP shall include the rationale for selecting the preferred corrective action, proposal for any necessary pilot studies and/or additional site investigations, and a schedule for achieving cleanup. The draft CAP shall also include a certification statement that the proposed corrective action will not form a subsurface waste and thereby will not create a condition of pollution or nuisance as defined in CWC Section 13304(a). The draft CAP shall also certify that proposed cleanup methods adequately protect identified sensitive receptors and will cost-effectively clean up waste to the maximum extent feasible to meet numerical WQOs.

2. **By 15 September 2007**, submit a pilot study work plan to assess the predicted radius of influence of the treatment technology, and its effect on adsorbed and mobile pollutants. The pilot study shall also assess delivery methods and equipment compatibility (for example, resistance to corrosion) and include appropriate contingencies. The work plan shall include a time schedule for implementation and propose a sampling frequency and test duration. The work plan shall also propose appropriate soil borings and laboratory analyses prior to test conclusion to confirm the proposed cleanup treats both adsorbed and mobile pollutants. Pilot study results shall be sufficient to recommend a full-scale treatment system, with appropriate monitoring. Implement the pilot study according to the time schedule.
3. **By 15 April 2008**, submit a final CAP for total cleanup of petroleum-related constituents with a time schedule for implementation. Implement the final CAP according to the time schedule. The corrective action should target adsorbed and mobile mass. A time schedule for achieving cleanup based on key monitoring wells should be included; additionally, monitoring at approximately 50% project completion, should be included to ensure cleanup objectives are being met. The final CAP should include, but is not limited to detailed designs and technical support for all proposed treatments, monitoring, and associated waste treatment and discharge.
4. **Within 60 days** of Regional Water Board staff's approval of the final CAP **but no later than 15 August 2008**, begin implementation of the approved remedial actions and complete implementation in compliance with the time schedule.
5. For remediation system(s), submit Monthly Status Reports during the first three months of operation of any new system(s). Unless otherwise directed in writing by the Executive Officer or his/her representative(s), the monthly status reports shall include, at a minimum:
  - site maps indicating the capture zone and waste plumes,
  - average extraction rates of all treatment systems,
  - influent and effluent concentrations of TPH-gasoline, benzene, toluene, ethylbenzene, and xylenes, appropriate lead scavengers, and organic lead,
  - 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 contractor and consultant visits to the site, and evaluation of the overall remediation program and recommendations to correct deficiencies or increase efficiency.

Perform quarterly monitoring after first three months of system operation and monitoring, unless otherwise directed by the Executive Officer.

6. The Discharger shall ensure that cleanup methods cause no further migration of the waste constituents in groundwater. If monthly or quarterly sample results indicate further migration of petroleum waste constituents beyond the treatment volume, the Discharger shall include **with the next required status report** a proposal to correct the condition. The proposed action(s) shall be completed **within 60 days** of staff approval of the proposal
7. Sample each monitoring well **quarterly** and analyze for TPH-gasoline, BTEX compounds, dissolved oxygen, oxidation-reduction potential, pH, iron II, nitrate, sulfate, and methane until otherwise directed in writing by the Executive Officer or his/her 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 United States Environmental Protection Agency (USEPA) analytical method manuals. In relatively interference-free water, laboratory-derived MDLs are expected to closely agree with published USEPA MDLs.
8. 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 - Reports, Tri-Regional Recommendations for Preliminary Investigation and Evaluation of Underground Storage Tank Site*. Regional Water Board staff will review Quarterly Status Reports for adequacy relative to further site investigation and cleanup. Based on such reviews, the Regional Water Board Executive Officer may, at his/her discretion, issue additional site-specific monitoring and reporting requirements, which would become part of this Order.

### GENERAL REQUIREMENTS

9. 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 shall include a cover letter signed by the Discharger, or authorized representative, certifying under penalty of law that the signers have examined and are familiar with the report and that to their knowledge, the report is true, complete, and accurate. The Discharger and/or authorized representative shall also state if they agree with any recommendations/proposals and whether or not they approved implementation.

10. 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 Regional 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 Regional Water Board staff or without notifying the Regional Water Board within the specified time is a violation of this Order. **Within 7 working days** of a shutdown, the Discharger 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 recur. Cleanup Assurance Plans are to be completed **within 30 days** of the system shutdown.
11. Notify Regional Water Board staff at least three working days prior to any onsite work, testing, or sampling that pertains to environmental remediation and investigation that is not routine monitoring, maintenance, or inspection.
12. Obtain all local and state permits and access agreements necessary to fulfill the requirements of this Order prior to beginning the work.
13. 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.
14. 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.
15. Maintain a sufficient number of monitoring wells to completely define and encompass the waste plume. 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 Regional Water Board staff approval, to define the new plume limits.

16. Submit all written reports and analytical results to the Regional Water Board and electronic copies of all reports and analytical results 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 Water Board's web site.
17. 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.
18. All work and directives referenced in this Order are required regardless of whether or not the UST Cleanup Fund approves the work for reimbursement.
19. 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.

Original signed by  
\_\_\_\_\_  
JAMES C. PEDRI, P.E., Assistant Executive Officer

\_\_\_\_\_  
25 June 2007  
(Date)

MEWB: 25 June 2007

Attachment A: Location Map

Attachment B: Facility Layout (Historic and Current)

Attachment C: Historic and Current Groundwater Concentrations