

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
SAN DIEGO REGION

TENTATIVE ADDENDUM NO. 1 TO  
CLEANUP AND ABATEMENT ORDER NO 95-66  
AS AMENDED BY STATE BOARD RESOLUTION WQ 96-02

BOULEVARD INVESTORS, THE CITY OF NATIONAL CITY, THE COUNTY OF SAN DIEGO, THE COMMUNITY DEVELOPMENT COMMISSION OF THE CITY OF NATIONAL CITY, CV VENTURES LLC., RHODE ISLAND ACQUISITION No. 1 LLC., SD COMMERCIAL LLC. AND NATIONAL ENTERPRISES, INC.

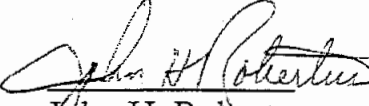
DUCK POND LANDFILL  
SAN DIEGO COUNTY

The California Regional Water Quality Control Board, San Diego Region (hereinafter Regional Board), finds that:

1. Boulevard Investors, the City of National City, Community Development Commission of the City of National City, and the County of San Diego were determined to be "dischargers" responsible for cleanup and abatement of pollution and threatened pollution associated with discharges of solid waste at the Duck Pond Landfill in the City of National City. (Order No. 95-66 of the Regional Board, as amended by Order No. WQ 96-02 of the State Water Resources Control Board.)
2. On October 13, 1999, CV Ventures LLC, a Nevada Limited Liability Corporation along with member corporations, Rhode Island Acquisition No. 1 LLC, SD Commercial LLC and National Enterprises, Inc. acquired the property upon which the Duck Pond Landfill is located, from Boulevard Investors.
3. CV Ventures LLC, Rhode Island Acquisition No. 1 LLC, SD Commercial LLC and National Enterprises, Inc is permitting the waste deposited at the Duck Pond Landfill to remain in place. The continued discharge of pollutants including PCE from the solid waste deposited at the Duck Pond Landfill into groundwater continues to create a condition of pollution and nuisance.
4. The lack of corrective measures on pre-existing conditions and reasonably foreseeable development on the property could exacerbate existing conditions or discharges of waste to waters of the State.
5. This enforcement action is being taken for the protection of the environment and, as such is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000 et seq.) in accordance with Section 15108, Chapter 3, Title 14, California Code of Regulations.

**IT IS HEREBY ORDERED**, That Cleanup and Abatement Order 95-66 shall be modified as follows:

1. Compliance with the directives of Cleanup and Abatement Order 95-66, as amended by Order No. WQ 96-02 of the State Water Resources Control Board, shall remain in effect and be applicable to CV Ventures LLC, Rhode Island Acquisition No. 1 LLC, SD Commercial LLC, National Enterprises Inc., Boulevard Investors, the City of National City, the County of San Diego, and the Community Development Commission of the City of National City.

Issued by:   
John H. Robertus  
Executive Officer