



California Regional Water Quality Control Board

San Diego Region



Winston H. Hickox
Secretary for
Environmental
Protection

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Gray Davis
Governor

October 1, 2002

Certified Mail – Return Receipt Requested
7099 3400 0015 9997 1528

Mr. Chung Kwan Hsu & Mrs. Hui Mei Hsu
Budget Trade & Gas.
510 West 5th Avenue
Escondido, CA 92025

In Reply Refer to:
UST:50-2661.05:sjp

Dear Mr. and Mrs. Hsu:

ADDENDUM NUMBER 4 TO CLEANUP AND ABATEMENT ORDER NO. 2000-255

On November 7, 2000, the California Regional Water Quality Control Board, San Diego Region (RWQCB) issued Cleanup and Abatement Order (CAO) No. 2000-255 to you for the Budget Trade and Gas facility in Escondido.

A Corrective Action Plan was received on January 30, 2001. The recommended method of remediation of petroleum hydrocarbons in soil and ground water was air sparge/soil vapor extraction. From January 2001 to January 2002, additional assessment of soil and ground water pollution took place. Air Sparge/Soil Vapor Extraction pilot test results received on January 14, 2002 demonstrated that this methodology would not be effective in remediation of petroleum hydrocarbons in soil and ground water.

On May 1, 2002 an alternative remedial action plan was submitted in compliance with RWQCB Order R9-2002-0075 (February 21, 2002). The recommended remedial alternative was soil excavation.

At the May 8, 2002 meeting, the RWQCB encouraged staff to pursue placing this site in a Pay for Performance program to help solve your cash flow problems and expedite the cleanup. From May to September, staff worked with you, your consultant, and the Underground Storage Tank Cleanup Fund to obtain a cost estimate for remedial action at the site. This cost estimate was to be the basis for the condition of payment agreement between you and the Cleanup Fund. August 15, 2002 and September 20, 2002 deadlines for producing the cost estimate were missed. By September 30, 2002, no remedial action, other than free phase product removal, had taken place at this site.

Your consultant, Southern California Soil & Testing, has informed the RWQCB that the cost estimate has not been produced because, until you pay them \$24,152.47 owed for past services, they will provide no further services to you.

California Environmental Protection Agency

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>.

Recycled Paper



October 1, 2002

Your failure to pay your consultant has delayed the production of a cost estimate, delayed your participation in the pay for performance program and delayed active cleanup at the site. Whether or not you participate in the pay for performance program is your decision. However, your failure to pay your consultant is not a valid reason to delay further the implementation of the remediation alternative recommended in your May 1, 2002 plan. Thus, CAO No. 2000-255 is hereby amended to add the following section:

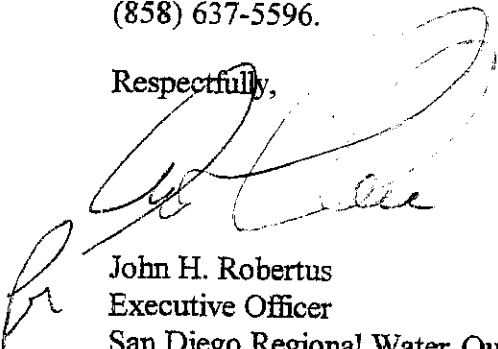
X. REMEDIATION

Implement the alternative recommended in the May 1, 2002 alternative remedial action plan by commencing soil excavation at the site by **January 2, 2003**. A technical report of progress of remedial action is due **April 30, 2003**, and every quarter until remedial action is concluded on the following schedule:

Quarter	Report Due Date
January, February, March	April 30
April, May, June	July 30
July, August, September	October 30
October, November, December	January 30

If you have any questions regarding this addendum, please contact Ms. Susan Pease of my staff at (858) 637-5596.

Respectfully,



John H. Robertus
Executive Officer
San Diego Regional Water Quality Control Board

cc: Mr. Chuck Houser
Southern California Soils and Testing, Inc.
P.O. Box 600627
San Diego, CA 92160-0627

California Environmental Protection Agency