



California Regional Water Quality Control Board

San Diego Region



Terry Tamminen
Secretary for
Environmental
Protection

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Arnold Schwarzenegger
Governor

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, visit our website.

June 21, 2004

Certified Mail – Return Receipt Requested
7002 2410 0004 0597 4306

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

In Reply Refer to:
TSMC:50.2661.05:peass

Dear Mr. & Mrs. Hsu:

RE: ADDENDUM NO. 8 TO CLEANUP AND ABATEMENT ORDER NO. 2000-255

On November 7, 2003, the State Water Resources Control Board Underground Storage Tank Cleanup Fund (UST Cleanup Fund) pre-approved cost reimbursement for cleanup of the Budget Trade & Gas site using the High Vacuum Dual Phase Extraction (HVDPE) method. The three pre-approved, 15-day remediation events were completed on April 27, 2004. A report submitted by your consultant, Mr. Gary Clossin, dated June 2, 2004, summarized the data from the remediation events. The remediation method was successful in effectively removing hydrocarbons from the subsurface; however, additional remediation is needed to complete the cleanup of the soil and ground water at the site.

The current Corrective Action Plan (CAP) for the site is the document titled Workplan for Expedited Site Remediation, dated March 12, 2003.¹ This document proposed the three HVDPE events, which have been completed. Because the cleanup is not finished, the CAP must be amended to include the additional actions needed at the site to achieve soil and ground water cleanup levels.

Therefore, Directive XIII is added to CAO No. 2000-255:

XIII: AMENDMENT TO CORRECTIVE ACTION PLAN

Submit an amendment to the CAP (Workplan for Expedited Site Remediation, dated March 12, 2003) identifying cost effective cleanup alternatives to complete the cleanup of the Budget Trade & Gas site. The cleanup alternatives must be capable of achieving the ground water cleanup levels for pollutants listed in Finding 22 of CAO No. 2000-255. The cleanup alternatives also must be capable of cleaning up soil to a level where residual leachable/mobile

¹ The March 12 CAP superseded the original CAP dated January 30, 2001, and an Alternative Remedial Action Plan dated May 1, 2002. The original CAP proposed cleanup using soil vapor extraction and air sparging, however the pilot tests of these alternatives were not successful. The Alternative Remedial Action Plan proposed cleanup by excavation, however, the UST Cleanup Fund deemed this method too costly and ineffective.

pollutants will not cause, or threaten to cause, exceedances of applicable ground water cleanup levels or water quality objectives, and do not pose significant risks to health or the environment.

The cleanup alternatives may consist of both active cleanup measures and natural attenuation. If natural attenuation is proposed as one of the cleanup alternatives, the amendment shall specify the soil and ground water cleanup levels that must be reached, or the site conditions that must be attained, before the transition from active cleanup methods to natural attenuation.

The amendment shall also contain a time schedule for implementing the cleanup alternatives. The time schedule shall include, but not be limited to, milestone dates for the submission of applications for any needed permits, initiation of construction activities, and commencement of operation of cleanup systems. If natural attenuation is proposed as a cleanup alternative, the time schedule should include a milestone date for the transition from active cleanup methods to natural attenuation.

The amendment to the CAP must be received by the Regional Board by **August 9, 2004**. The dischargers shall commence cleanup by implementing the alternatives in the amendment to the CAP sixty (60) calendar days after receipt of the amendment to the CAP by the Regional Board, unless the Regional Board otherwise directs the dischargers in writing. Before beginning cleanup, the dischargers shall notify the Regional Board of their intention to begin cleanup, and comply with any conditions set by the Regional Board.

Upon completion of active cleanup measures, the dischargers shall provide a technical report to the Regional Board on the results of the active cleanup measures. The report shall provide an analysis of site data showing that soil and ground water cleanup levels have been reached, or that site conditions are appropriate to transition from active cleanup measures to natural attenuation as the cleanup method at the site. The Regional Board must receive the report within 60 days of the cessation of active cleanup measures.

Directive IV. Verification Sampling and Monitoring, is rescinded and replaced with the following:

IV. VERIFICATION SAMPLING AND MONITORING

- a) The dischargers shall submit a workplan for verification sampling and monitoring in compliance with CCR Title 23, section 2727. The sampling and monitoring proposed in the workplan must be capable of showing that soil cleanup levels for the site have been achieved and that:
 - i) the ground water cleanup levels referenced in Finding 22 have been achieved and maintained, or,
 - ii) if natural attenuation is ongoing at the time of commencement of verification sampling and monitoring, that the pollutant plumes are either stable or decreasing in size and mass.

Further, the verification sampling and monitoring must be capable of producing data from which a reliable estimate can be made of the time until the ground water cleanup levels referenced in Finding 22 will be met.

- b) The dischargers shall manage all contaminated ground water and/or soil generated a result of any activities at its site in accordance with all applicable local, State and federal regulations and requirements.
- c) Verification sampling and monitoring program reports shall be submitted in accordance with the requirements of Directive VI, Ground Water Monitoring Reporting.

You may contest the issuance of this CAO Addendum by requesting a public hearing on the matter before the Regional Board. In order to schedule a hearing this office must receive a written request no later than 5 PM on July 21, 2004 (30days). Be aware that a request for a hearing does not stay deadlines in the CAO.

The heading portion of this letter includes a Regional Board code number noted after "In reply refer to:" In order to assist us in the processing of your correspondence please include this code number in the heading or subject line portion of all correspondence and reports to the Regional Board pertaining to this matter.

If you have any questions, please contact Ms. Sue Pease of my staff at (858) 637-5596, or by email at peass@rb9.swrcb.ca.gov.

Sincerely,



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

cc: Ms. Diana Conkle, State Water Resources Control Board, Underground Storage Tank Cleanup Fund, 1001 'I' Street, Sacramento CA 95814

Mr. Gary Clossin, I-Cubed Consulting, 13860 Paseo Aldabra, San Diego, CA 92129-2106

Mr. Noel Shenoi, CalClean Inc., 3002 Dow Avenue, Suite 142, Tustin, CA 92780

Mr. Hsu
Addendum No. 8 to CAO No 2000-255

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June 21, 2004

JHR:jac:sjp

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