

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN DIEGO REGION

ADDENDUM NO. 5
TO CLEANUP AND ABATEMENT ORDER NO. 2001-226

KANWAR AND RAGINI NARAIN, NARAIN OIL INCORPORATED, AJKERAKA
INCORPORATED, CALDWELL FAMILY TRUST, SUMMIT ENERGY
CORPORATION, SUMMIT OIL & GAS, AND
AGRICARE PROPERTIES, LLC

28111 FRONT STREET, (A.K.A. 28111 JEFFERSON STREET)
TEMECULA, CALIFORNIA, RIVERSIDE COUNTY

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

1. On February 2, 2005, the Regional Board received a corrective action plan (CAP) to cleanup petroleum hydrocarbon wastes and abate the effects on ground water pollution from discharges of petroleum hydrocarbons from the underground storage tank (UST) systems located at 28111 Front Street in Temecula.
2. On January 1, 2005, the State Water Resources Control Board electronic reporting requirements went into effect. The regulations covering electronic reporting were promulgated as [California Code of Regulations \(CCR\), Title 23, section 3890 et seq.](#) Under [section 3892](#), the electronic reporting regulations are applicable to the Discharger(s) identified in this Order.
3. Pursuant to [CCR Title 23, section 3895\(b\)](#), the Regional Board may require the Discharger(s) to submit reports in an “alternative form”:

“ (b) In addition to the electronic submittal of reports required pursuant to this Chapter, a regulatory agency may require the submittal of a report, or portions thereof, in diskette, compact disc or other form if the agency determines that the alternative form is necessary. The burden, including cost, of these alternative forms shall bear a reasonable relationship to the need for alternative form and benefits to be obtained from the alternative form.”

The Regional Board cannot effectively review electronic versions of oversized figures and tables greater than 8 ½ by 11 inches in size. In addition, the Regional Board is not equipped to provide paper copies of oversized submittals or make electronic copies of intermittent voluminous electronic documents available for public review.

4. This action is an Order to enforce the laws and regulations administered by the Regional Board. As such, this action is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15321 of the Resources Agency Guidelines.

IT IS HEREBY ORDERED, pursuant to sections 13267 and 13304 of the California Water Code:

1. **Replace Directive A.2 of CAO 2001-226 with the following:**
 - “2. **Groundwater Monitoring and Technical Reporting:** After **July 1, 2005**, all reports provided by the Dischargers pursuant to section 13304 and 13267 of the California Water Code must be submitted electronically, in accordance with [section 3890 et. seq., of the CCR, Title 23, Division 3](#). This requirement includes all workplans, technical reports, and monitoring reports. The electronic reporting regulations also require that Dischargers submit the additional information required in section [3895, CCR Title 23](#):
 - a. The latitude and longitude of any permanent monitoring well for which data is reported in EDF format, accurate to within 1 meter and referenced to a minimum of two reference points from the California Spatial Reference System (CSRS-H), if available.
 - b. The surveyed elevation relative to a geodetic datum of any permanent monitoring well.
 - c. The elevation of groundwater in any permanent monitoring well relative to the surveyed elevation.
 - d. A site map or maps showing the location of all sampling points referred to in the report.
 - e. The depth to the screened interval and the length of screened interval for any permanent monitoring well.
 - f. Boring logs, in PDF format.
 - g. A complete copy of the report, in PDF format, which includes the signed transmittal letter and professional certification.

In addition to complying with the electronic reporting requirements the Dischargers may also continue to submit complete paper copies of all submittals to the Regional Board. The Dischargers shall ensure that all paper submittals include a properly signed cover letter.

The discharger shall implement a quarterly groundwater monitoring program as specified in the Quarterly Groundwater Monitoring Program for CAO 2001-226.”

2. Replace Directive A.5 of CAO 2001-226 with the following:

“5. Corrective Action: The Dischargers shall prepare a Corrective Action Plan (CAP) that satisfies the provisions of section 2725 of the regulations governing underground storage of hazardous substances ([Chapter 16 of the State Water Resources Control Board regulations in Division 3 of Title 23 of the California Code of Regulations, Chapter 16, Article 11, section 2720, et seq.](#)). The CAP shall identify and discuss a range of remedial action alternatives for the final phase of the cleanup program and a schedule for implementation of corrective actions. The CAP shall examine and determine the cost of a cleanup strategy capable of achieving final cleanup levels in the affected groundwater zones for the following constituents: benzene, toluene, total xylenes, ethylbenzene, methyl tertiary butyl ether, tertiary butyl alcohol and any other petroleum waste constituent(s), which may have been released by the discharger. All free phase petroleum hydrocarbon product must be removed and any sources of petroleum hydrocarbon wastes must be removed. Implementation of the CAP will commence no later than **June 30, 2005**. The dischargers shall give the Regional Board 48 hour notification as to the commencement and completion of field activities.”

3. Add Directive A.6 to CAO 2001-226 as follows:

“6. Verification Monitoring: Upon completion of corrective action, the dischargers shall conduct verification monitoring in conformance with the provisions of section [2727 of CCR Title 23, Chapter 16](#).

- a.** Within 60 days of concluding CAP implementation a technical report with the results to verify implementation of the CAP and evaluate its effectiveness shall be submitted.
- b.** The Dischargers shall submit a workplan to implement a verification-monitoring program that includes a schedule for submitting technical reports. The workplan shall be submitted within 60 days of CAP completion. The Dischargers shall implement the verification monitoring program within 30 days of submitting according to the schedule in the workplan.

4. **Amend Directive 3 of the Quarterly Groundwater Monitoring Program for CAO 2001-226 as follows:**

“3. QUARTERLY GROUNDWATER MONITORING REPORTS:
Pursuant to section 3890 et seq of the CCR Title 23, Division 3, the Dischargers shall submit all electronic data and any additional paper copies of the quarterly groundwater monitoring report to the Regional Board no later than 30 days following the end of the quarter according to the following schedule:

Report Frequency	Report Period	Report Due
Quarterly	January – March	April 30
	April – June	July 30
	July – September	October 30
	October – December	January 30


JOHN H. ROBERTUS
Executive Officer

Date issued: May 23, 2005