



# California Regional Water Quality Control Board

## San Diego Region



Over 50 Years Serving San Diego, Orange, and Riverside Counties

Recipient of the 2004 Environmental Award for Outstanding Achievement from USEPA

9174 Sky Park Court, Suite 100, San Diego, California 92123-4353  
(858) 467-2952 • Fax (858) 571-6972  
[http:// www.waterboards.ca.gov/sandiego](http://www.waterboards.ca.gov/sandiego)

Linda S. Adams  
Secretary for  
Environmental Protection

Arnold Schwarzenegger  
Governor

September 21, 2009

In reply refer to:  
T0606577401:cprowell

Mr. Kirin Shah  
KZ Financial  
12423 Whispering Tree Lane  
Poway, CA 92064

Dear Mr. Goyal:

**SUBJECT: UNAUTHORIZED RELEASE CASE NO. T0607364492, KSQUARE FINANCIAL, INC., 1602 E. VALLEY PARKWAY, ESCONDIDO, CALIFORNIA**

Based on the results of a Site Assessment conducted at the site on behalf of APRO, LLC, the California Regional Water Quality Control Board, San Diego Region (Regional Board) has determined that an unauthorized release of petroleum hydrocarbons (i.e., a leak) occurred at KSquare Gas & Service, located at 1602 East Valley Parkway, Escondido, California. As the property owner at the time that the release was identified, you are identified as a Responsible Party.

The California Code of Regulations Title 23 requires Responsible Parties to conduct corrective action measures upon discovery of an unauthorized release from a UST system. Corrective action measures include one or more of the following phases:

1. Preliminary Site Assessment;
2. Soil and Water Investigation;
3. Corrective Action Plan Implementation; and
4. Verification Monitoring

The Regional Board requests that by **October 30, 2009**, you complete the attached Certification Declaration for Compliance with Land Owner Identification/Notification Requirements and provide a summary of the actions taken to control and or stop the release; a description of the corrective and remedial actions, including investigations which were undertaken and will be conducted to determine the nature and extent of soil, groundwater or surface water contamination due to the release; and a description of additional actions taken to prevent future releases.

Section 25297.15 of the Health and Safety Code requires the primary or active Responsible Party to notify all current record owners of fee title of the above-referenced property before the Regional Board considers proposals for cleanup, considers a

**California Environmental Protection Agency**

proposal for site closure, or issues a site closure letter. The primary Responsible Party must submit a letter to this agency within 20 calendar days of receipt of this notice which identifies all current record owners of fee title. The primary Responsible Party is obligated to certify to the Regional Board that the required notifications have been made at the time a cleanup or site closure proposal is made, or before the Regional Board makes a determination that no further action is required. If property ownership changes, the primary Responsible Party must notify the Regional Board of the change within 20 calendar days of being informed of the change.

The State Underground Storage Tank Cleanup Fund can provide reimbursement to responsible parties for eligible corrective action costs and third party liability costs. For more information on the UST Cleanup Fund, please contact the State Water Resources Control Board at 1-800-813-3863.

In the subject line of any response, please include the requested "In reply refer to:" information located in the heading of this letter. For questions pertaining to this letter, please contact Cheryl Prowell at (858) 467-2745 or cprowell@waterboards.ca.gov.

Respectfully,



Cheryl L. Prowell, P.E.  
Water Resource Control Engineer  
Groundwater Basins Branch

CLP:clc:clp

Enclosures: Certification Declaration for Compliance with Land Owner  
Identification/Notification Requirements



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## CERTIFICATION DECLARATION FOR COMPLIANCE WITH LAND OWNER IDENTIFICATION/NOTIFICATION REQUIREMENTS (California Water Code section 13307.1 and Health and Safety Code section 25296.20(a))

Please Print or Type:

Fee Title Holder(s): \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Telephone Number / Fax Number: \_\_\_\_\_

Site Name: \_\_\_\_\_

Address: \_\_\_\_\_

Contact Person: \_\_\_\_\_

Telephone Number / Fax Number: \_\_\_\_\_

File Number: \_\_\_\_\_

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations." (See attached page for who shall sign the Certification Declaration).

\_\_\_\_\_  
Printed Name of Person Signing

\_\_\_\_\_  
Official Title

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date Signed

*California Environmental Protection Agency*

