

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
LAHONTAN REGION**

AMENDED CLEANUP AND ABATEMENT ORDER NO. R6T-1989-0050-A02

**Requiring
Ultramar, Inc., and Tesoro Petroleum Companies, Inc.,
to Cleanup and Abate the Effects of the Discharge
of Petroleum Products and other Wastes to the Ground Waters of the Lake Tahoe
Hydrologic Unit at the Former Beacon Gas Station, 2304 Lake Tahoe Boulevard,
South Lake Tahoe, El Dorado County**

The California Regional Water Quality Control Board, Lahontan Region (Regional Board) finds:

1. On October 26, 1998, the Regional Board Executive Officer issued Cleanup and Abatement Order (CAO) No. 6-89-050A1 to Ultramar, Inc., for the Beacon Gas Station at 2304 Lake Tahoe Boulevard in South Lake Tahoe, El Dorado County.
2. On or about April 30, 2002, ownership of the Beacon Gas Station at 2304 Lake Tahoe Boulevard in South Lake Tahoe was transferred from Ultramar, Inc., (a subsidiary of Valero Energy Corporation) to Tesoro Petroleum Companies, Inc. Due to its current ownership of the site and its underground storage tanks, Tesoro Petroleum Companies, Inc., is identified as a responsible party pursuant to California Code of Regulations, Title 23, Division 3, Chapter 16, Article 11, Section 2720. Ultramar, Inc., is also identified as a responsible party because the release of petroleum products occurred during its ownership of the site.
3. Regional Board staff reviewed the *Third Quarter 2003 Groundwater Monitoring/Remediation Report* (Report) prepared by Tesoro's consultant, RDM Environmental (RDM). The Report documented that the remediation system, comprising two groundwater extraction wells and four 200-pound granular activated carbon vessels, has extracted and treated over 21 million gallons of contaminated groundwater containing petroleum hydrocarbons and Methyl tert-Butyl Ether (MTBE). No detectable contaminants have been found in the influent to the remediation system for the last four consecutive quarters of monitoring. RDM recommended suspending the remediation system operation and conducting post remediation monitoring to assess plume stability and residual concentrations, if any. Based on the current site remediation progress, amendments to reduce and/or modify the remediation program in CAO No. 6-89-050A1 are warranted.
4. This action is being taken by this regulatory agency to enforce the provisions of the California Water Code 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 15321, Chapter 3, Title 14, of the California Code of Regulations.

THEREFORE, IT IS HEREBY ORDERED that pursuant to California Water Code Sections 13267 and 13304, Ultramar, Inc., and Tesoro Petroleum Companies, Inc., shall cleanup and abate the discharge and threatened discharge of petroleum products and other wastes discharged to the waters of the State from the former Beacon Gas Station at 2304 Lake Tahoe Boulevard in South Lake Tahoe and shall comply with the provisions of CAO No. 6-89-050A1 with the following amendments:

1. Orders 3, 4, 5, 6, and 11 of CAO No. 6-89-050A1 (which generally require the design, installation and operation of a groundwater remediation system) have been complied with and are hereby rescinded. As a result, Order 7 of CAO No. 6-89-050A1 is moot and is rescinded.
2. Order 8 of CAO No. 6-89-050A1 is amended to require gauging and monitoring only on-site monitoring wells RW-1, MW-1, MW-3, and MW-4, and off-site monitoring wells MW-5 and MW-12. The above-listed wells are to be gauged and tested on a monthly basis for the same analytes as the current monitoring program. The purpose of this post-remediation monitoring is to assess plume stability and residual concentrations, if any, and to determine whether the site can qualify for No Further Action Required status.

All findings and requirements of CAO No. 6-89-050A1 that are not amended by this order (CAO No. R6T-1989-0050-A02) remain unchanged and in effect. Failure to comply with the terms or conditions of CAO No. R6T-1989-0050-A02 will result in additional enforcement action, which may include the imposition of administrative civil liability pursuant to Sections 13268 and 13350 of the California Water Code or referral to the Attorney General of the State of California for such legal action as he or she may deem appropriate.

Ordered by: _____ Dated _____
HAROLD J. SINGER
EXECUTIVE OFFICER