

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 95 - 73

AMENDMENT OF THE CIRCLE K CORPORATION SETTLEMENT FUND
PRIORITY LIST
AMENDMENT NO. 1

WHEREAS:

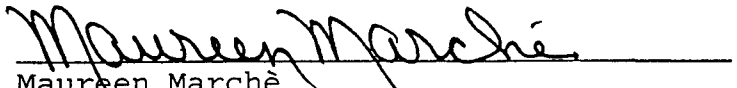
1. Through bankruptcy proceedings, Circle K Corporation has abandoned numerous petroleum underground storage tank (UST) sites in California and many of the USTs have leaked petroleum into the soil and groundwater;
2. Under a settlement agreement executed between the State Water Resources Control Board (SWRCB) and Circle K Corporation (effective July 26, 1993), California was awarded approximately \$3.9 million, to be provided in seven annual payments, to pay landlords and other persons for costs associated with tank removal and cleanup at designated sites;
3. Section 25299.50 of Article 6 of Chapter 6.75, Division 20, California Health and Safety Code authorizes the SWRCB to create accounts within the Underground Storage Tank Cleanup Fund;
4. The SWRCB has established procedures (Water Quality APM Chapter 20) for administering the Circle K Settlement Fund, which was created by virtue of the SWRCB's authority expressed in Section 25299.50;
5. The SWRCB adopted its initial priority list on May 18, 1994;
6. The amended priority list includes 20 unpaid claims from the initial priority list and adds 76 claims submitted after February 15, 1994 but prior to September 1, 1995. New claims were ranked based on date received and below previously listed unpaid claims.
7. It is estimated that approximately \$650,000 is available for claim payments for Fiscal Year 1995/96. Existing funding and the expected July 1996 annual payment from Circle K will provide sufficient funding to pay all claims listed on the amended priority list.

THEREFORE BE IT RESOLVED THAT:

The State Water Board hereby amends the Circle K priority list to add 76 claims, and authorizes the Division of Clean Water Programs to process and pay claims in priority order,

CERTIFICATION

The undersigned, Administrative Assistant to the Board, does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Resources Control Board held on October 26, 1995.


Maureen Marché
Administrative Assistant to the Board