

**STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 2008-0047**

ADOPTING THE PETROLEUM UNDERGROUND STORAGE TANK (UST)  
EMERGENCY, ABANDONED, RECALCITRANT (EAR) ACCOUNT  
FISCAL YEAR (FY) 2008-2009 ANNUAL SITE LIST; AND, AUTHORIZING  
THE EXECUTIVE DIRECTOR, OR DESIGNEE, TO ISSUE LETTERS OF AWARD OR  
EXECUTE CONTRACTS AND AMENDMENTS  
FOR THE EXPENDITURE OF EAR ACCOUNT FUNDS

WHEREAS:

1. Chapter 6.75 of Division 20 of the Health and Safety Code authorizes the State Water Resources Control Board (State Water Board) to provide funding to Regional Water Quality Control Boards (Regional Water Boards) or local agencies for initiating corrective action at petroleum UST sites which have had unauthorized releases;
2. Section 25299.36 of the Health and Safety Code authorizes the State Water Board to undertake or contract for corrective action at specified sites or to request the Department of General Services (DGS) to act as the agent of and enter into contracts on behalf of the State Water Board or a Regional Water Board for corrective action at those sites;
3. The State Water Board has established administrative procedures for providing cleanup funds to Regional Water Boards and local agencies, which include adoption of an EAR Account Annual Site List (ASL);
4. On January 16, 2008 the State Water Board requested the Regional Water Boards to: (1) contact local agencies in their regions to identify any abandoned and recalcitrant petroleum UST sites for inclusion on the EAR Account FY 2008-2009 ASL, and (2) submit their annual list of recommended Regional Water Board and local agency sites to the State Water Board for EAR Account funding;
5. Six Regional Water Boards responded, nominating a total of 45 eligible sites;
6. Sufficient funding is available to provide the requested amounts for all 45 eligible sites;  
and
7. For efficient operation of the EAR Account Program, the State Water Board may delegate authority to the Executive Director, or designee, to issue letters of award or execute contracts and amendments for the expenditure of EAR Account funds or to request DGS to enter into contracts on behalf of the State Water Board or a Regional Water Board for the expenditure of EAR Account funds designated in the EAR Account ASL.

THEREFORE BE IT RESOLVED THAT:

The State Water Board:

1. Adopts the Emergency, Abandoned, Recalcitrant (EAR) Account FY 2008-2009 ASL, (Attachment A);
2. Authorizes the Executive Director, or designee, to issue letters of award or negotiate and execute contracts and amendments for the expenditure of EAR Account funds designated in the ASL; and
3. Authorizes the Executive Director, or designee, to request DGS, pursuant to §25299.36 of the Health and Safety Code, to enter into contracts on behalf of the State Water Board or a Regional Water Board and act as the agent of the State Water Board or a Regional Water Board for the expenditure of EAR Account funds designated in the ASL.

**CERTIFICATION**

The undersigned, Clerk 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 Board held on July 1, 2008.

AYE: Chair Tam M. Doduc  
Arthur G. Baggett, Jr.  
Charles R. Hoppin  
Frances Spivy-Weber

NAY: None

ABSENT: Vice Chair Gary Wolff, P.E., Ph.D

ABSTAIN: None



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Jeanine Townsend  
Clerk to the Board

**ATTACHMENT A**  
**EMERGENCY, ABANDONED, RECALCITRANT (EAR) ACCOUNT**  
**FISCAL YEAR (FY) 2008/2009 ANNUAL SITE LIST**

REGIONAL BOARD & RESOLUTION NUMBER	EAR SITE #	FINAL ORDER NUMBER & DATE	SITE NAME, ADDRESS & COUNTY	DESIGNATED OVERSIGHT AGENCY	CONTACT PERSON & PHONE NUMBER	PREVIOUSLY APPROVED FUNDING	ADDITIONAL FUNDING REQUESTED FOR FY 2008/2009	REVISED APPROVED TOTAL	CASE TYPE	ABANDONED OR RECALCITRANT SITE
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May 28, 2008

**REGION 2**

1. RB Resolution R2-2008-0022 04/15/08	E06-105	Corrective Action Letter 4/11/2007	<b>Richard's Automotive</b> 1495 Hays Street San Leandro	City of San Leandro Environmental Services 835 E. 14th Street San Leandro, CA	Karl Bushe (510) 577-3341	\$350,000	\$100,000	\$450,000	Health, Safety & Grndwtr	Recalcitrant
2.	R08-115	Corrective Action Letters 4/22/04 and 3/8/2007	<b>Panesar Beacon</b> 3740 Peralta Blvd. Fremont	Alameda Co. Water District (ACWD) 43885 S. Grimmer Blvd. Fremont, CA 94537- 5110	Tom Berkins (510) 668-4442	\$0	\$100,000	\$100,000	Health, Safety & Grndwtr	Recalcitrant

**REGION 3**

1. RB Resolution R3-2008-0024 03/24/08	R99-036	Corrective Action Letter 3/25/99	<b>Pajaro Beacon</b> 53 Porter Drive Pajaro, CA Monterey County	Monterey County Department of Health 1270 Natividad Road Salinas, CA 93906	John Ramirez (831) 755-4542 ext. 4542	\$400,000	\$250,000	\$650,000	Health, Safety & Grndwtr	Recalcitrant
2.	R00-045	RB Notice of Violation Letter 2/15/95	<b>Venture Oil Company</b> 950 West Beach Street Watsonville, CA 95076 Santa Cruz County	Santa Cruz County Health Services 701 Ocean St., #312 Santa Cruz, CA 95060	Steven Schneider (831) 454-2022	\$450,000	\$0	\$450,000	Health, Safety & Grndwtr	Recalcitrant

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May 28, 2008

**REGION 5**

1.	R95-017	Corrective Action Order Dated 12/21/94	<b>Three Star Gas</b> 1143 Yosemite Blvd. Modesto, CA Stanislaus County	Stanislaus County Environ. Resources 3800 Cornucopia Way Suite C Modesto, CA 95358/ RWQCB Sacramento	Nicole Damin (209) 525-6725/ Jim Munch (916) 464-4618	\$800,000	\$0	\$800,000	Health, Safety & Grndwtr	Recalcitrant
RB Resolution R5-2008-0040 3/14/08										
2.	R95-021	Corrective Action Order Dated 03/01/96	<b>Fernandes Speed Shop</b> 214 South Center Street Turlock, CA Stanislaus County	Stanislaus County Environ. Resources 3800 Cornucopia Way Suite C Modesto, CA 95358/ RWQCB -Sacramento	Nicole Damin (209) 525-6725/ Jim Munch (916) 464-4618	\$650,000	\$0	\$650,000	Health, Safety & Grndwtr	Recalcitrant
3.	R98-028	Corrective Action Order Dated 02/26/98	<b>Former T &amp; T Arco</b> 402 Downey Ave. Modesto, CA Stanislaus County	Stanislaus County Environ. Resources 3800 Cornucopia Way Suite C Modesto, CA 95358/ RWQCB - Sacramento	Nicole Damin (209) 525-6725	\$1,050,000	\$0	\$1,050,000	Health, Safety & Grndwtr	Recalcitrant
4.	R98-008	Final Notice Dated 02/02/98 & 05/24/01	<b>Former Nelson Property</b> 3260 Feather River Blvd Marysville, CA Yuba County	Yuba County 915 - 8 <sup>th</sup> Street, #123 Marysville, CA 95901/ RWQCB - Sacramento	Clark Pickell (530) 749-7523	\$1,305,000	\$0	\$1,305,000	Health, Safety & Grndwtr	Recalcitrant

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May 28, 2008										
5.	R99-032	C&A Order #97-721 Dated 12/26/97	<b>Glennville Shopping</b> 10675 Highway 155 Glennville, CA Kern County	RWQCB - Fresno 1685 E Street Fresno, CA 93706	Greg Issinghoff (559) 488-4390	\$1,500,000	\$0	\$1,500,000	Health, Safety & Grndwtr	Recalcitrant
6.	R99-038	Final Notice Dated 12/22/94	<b>Betco Petroleum</b> Manual Moniz Charles Bettencourt 632 Ninth Street Turlock, CA Stanislaus County	Stanislaus County Environ. Resources 3800 Cornucopia Way Suite C Modesto, CA 95358/ RWQCB – Sacramento	Nicole Damin (209) 525-6725	\$700,000	\$0	\$700,000	Health, Safety & Grndwtr	Recalcitrant
7.	R02-061	Order to Comply Dated 03/07/02	<b>Save Center #1</b> 715 Atwater Blvd. Atwater, CA Merced County	Merced County Dept. of Public Health 777 West 22 <sup>nd</sup> Street Merced, CA 95340/ RWQCB – Fresno	Eric Swenson (209) 381-1075/ John Noonan (559) 445-5550	\$200,000	\$0	\$200,000	Health, Safety & Grndwtr	Recalcitrant
8.	R02-063	Order to Comply Dated 03/07/02	<b>Save Center #3</b> 2104 G Street Merced, CA Merced County	Merced County Dept. of Public Health 777 West 22 <sup>nd</sup> Street Merced, CA 95340/ RWQCB – Fresno	Eric Swenson (209) 381-1075/ John Noonan (559) 445-5550	\$250,000	\$0	\$250,000	Health, Safety & Grndwtr	Recalcitrant
9.	R02-064	Several Directives Dated 1996 thru 2002	<b>Applegate Mini-Mart</b> 1619 Sycamore Avenue Atwater, CA Merced County	Merced County Dept. of Public Health 777 West 22 <sup>nd</sup> Street Merced, CA 95340/ RWQCB – Fresno	Eric Swenson (209) 381-1075/ John Noonan (559) 445-5550	\$155,000	\$0	\$155,000	Health, Safety & Grndwtr	Recalcitrant

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May 28, 2008										
10.	R03-084	Order to Comply Dated 02/27/03	<b>Smothers Deluxe Shell</b> 55 West 16 <sup>th</sup> Street Merced, CA Merced County	Merced County Dept. of Public Health 777 West 22 <sup>nd</sup> Street Merced, CA 95340 RWQCB-Fresno	Eric Swenson (209) 381-1075/ John Noonan (559) 445-5550	\$200,000	\$0	\$200,000	Health, Safety & Grndwtr	Recalcitrant
11.	R03-085	Directive Dated 02/25/03	<b>Frank's One Stop</b> Quinta Enterprises 2072 W. Yosemite Ave. Manteca, CA San Joaquin County	San Joaquin County Environmental Health 304 East Weber Stockton, CA 95202/ RWQCB – Sacramento	James Barton (916) 464-4615	\$900,000	\$0	\$900,000	Health, Safety & Grndwtr	Recalcitrant
12.	R03-087	RB Directive Dated 03/01	<b>Imler's TV</b> 121 Sixth Street Marysville, CA Yuba County	Yuba County 915 - 8 <sup>th</sup> Street, #123 Marysville, CA 95901/ RWQCB – Sacramento	Clark Pickell (530) 749-7523	\$500,000	\$0	\$500,000	Health, Safety & Grndwtr	Recalcitrant
13.	R05-097	C & A Order No. 99-709 2/7/03	<b>Jesse M. Lange Dist.</b> 11226 Midway Chico, CA Butte County	RWQCB – Redding / Butte County Environ. Health 411 Main St Chico, CA 95929/ City of Chico P.O. Box 5364 Chico, CA 95927	Eric Rapport (530) 224-4998/ Mike Huerta (530) 891-2727/ Richard Burgi (530) 879-6950	\$500,000	\$0	\$500,000	Health, Safety & Grndwtr	Recalcitrant
14.	R06-102	Directive Dated 6/28/05	<b>Willis Property</b> 110 Porter Street Dixon, CA Solano County	RWQCB-Sacramento/ Solano County Dept of Environ. Management 675 Texas Street, Ste 5500 Fairfield, CA 94533	James Barton (916) 464-4615/ Misty Kaltreider (707) 784-3311	\$100,000	\$0	\$100,000	Health, Safety & Grndwtr	Recalcitrant

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15.	R06-103	Directive Dated 10/8/04	<b>Former Hilmar Rocket Station</b> 8220 N. Lander Ave Hilmar, CA Merced County	Merced County Dept. of Public Health 777 West 22 <sup>nd</sup> Street Merced, CA 95340/ RWQCB – Fresno	Eric Swenson (209) 381-1075/ John Noonan (559) 445-5550	\$100,000	\$0	\$100,000	Health, Safety & Grndwtr	Recalcitrant
16.	R06-104	Directive Dated 8/16/04	<b>Dos Palos “Y” BP</b> 8024 Azusa Road Dos Palos, CA Merced County	Merced County Dept. of Public Health 777 West 22 <sup>nd</sup> Street Merced, CA 95340/ RWQCB – Fresno	Eric Swenson (209) 381-1075/ John Noonan (559) 445-5550	\$100,000	\$0	\$100,000	Health, Safety & Grndwtr	Recalcitrant
17.	R07-106	CAO R5-2006-0722	<b>Circle A Gas Station</b> 1215 East 22 <sup>nd</sup> Street Marysville, CA Yuba County	RWQCB-Sacramento/ Yuba County 915 - 8 <sup>th</sup> Street, #123 Marysville, CA	Mike Kenning (916) 464-4783/ Clark Pickell (530) 749-7523	\$200,000	\$0	\$200,000	Health, Safety & Grndwtr	Recalcitrant
18.	R07-107	Directive Letter 6/7/06	<b>AGV Gas and Liquor</b> 4881 Olivehurst Ave Olivehurst, CA Yuba County	RWQCB-Sacramento/ Yuba County 915 - 8 <sup>th</sup> Street, #123 Marysville, CA	Mike Kenning (916) 464-4783/ Clark Pickell (530) 749-7523	\$200,000	\$0	\$200,000	Health, Safety & Grndwtr	Recalcitrant
19.	R07-108	Directive Letter 8/1/06	<b>Jacobs Property</b> 4740 Main Street Denair, CA Stanislaus County	Stanislaus County Environ. Resources 3800 Cornucopia Way Suite C Modesto, CA 95358/ RWQCB – Sacramento	Nicole Damin (209) 525-6725/ Mike Smith (916) 464-4728	\$300,000	\$0	\$300,000	Health, Safety & Grndwtr	Recalcitrant

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May 28, 2008

20.	R07-110	Directive Letter 1/29/06	<b>Leonel Naake Property</b> 41901 McArthur Road Glenburn, CA Shasta County	RWQCB – Redding	Katie Bowman (530) 226-3458	\$100,000	\$0	\$100,000	Health, Safety & Grndwtr	Recalcitrant
21.	R08-111	Directive Dated 4/13/2007	<b>Eagle Gas</b> 3006 El Camino St. Ceres, CA Stanislaus County	Stanislaus County Environ. Resources/ RQWCB - Sac	Nicole Damin (209) 525-6725/ Mike Smith (916)464-4728	\$0	\$700,000	\$700,000	Health Safety & Grndwtr	Reclacitrant
22.	R08-112	Directive Dated 3/30/2007	<b>Quick-N-Save</b> 5201 Yosemite Blvd. Emipire, CA Stanislaus County	Stanislaus County Environ. Resources/ RWQCB - Sac	Nicole Damin (209)525-6725 Mike Smith (916)464-4728	\$0	\$500,000	\$500,000	Health, Safety & Grndwtr	Recalcitrant
23.	R08-113	Directives Dated 5/23/06 & 6/8/06	<b>Gold Eagle Market #1</b> 16823 Willow Glen Rd Brownsville, CA Yuba County	RWQCB 0- Sac/ Yuba County OES	Mike Kenning (916) 464-4783	\$0	\$100,000	\$100,000	Health, Safety & Grndwtr	Recalcitrant
24.	R08-114	Directive Dated 4/5/2005	<b>Kelly Company</b> 1076 Monte Vista E. Vacaville, CA Solano County	Solano County Dept. of Environ. Management/ RWQCB	Josuwa Bernardo (707) 784-3312/ James Munch (916)464-4618	\$0	\$100,000	\$100,000	Health, Safety & Grndwtr	Recalcitrant

**REGION 6**

1.	R93-009	CAO No. 6-88-184 Dated 06/88	<b>Yermo Truck Stop</b> 38753 Yermo Road Yermo, CA 92398 San Bernardino County	RWQCB - Victorville 14440 Civic Drive, Suite 200 Victorville, CA 92392	Cindi Mitton (760) 241-7413	\$1,143,000	\$0	\$1,143,000	Health, Safety & Grndwtr	Recalcitrant
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RB Resolution  
R6T-2008-0017  
4/10/2008



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	May 28, 2008									
2.	R02-066	Notice of Violation Dated 03/09/01	<b>Halloran Springs</b> 80505 Halloran Springs Baker, CA San Bernardino County	San Bernardino Co. Fire Department 620 South E St. San Bernardino, CA 92415-0153	Douglas Snyder (909) 386-8401	\$100,000	\$0	\$100,000	Health, Safety & Grndwtr	Recalcitrant
3.	R02-067	Several Notice of Violations Dated 2000 thru 2001	<b>Stop N Save</b> 1501 Irwin Road Barstow, CA 92311 San Bernardino County	San Bernardino Co. Fire Department 620 South E St San Bernardino, CA 92415-0153	Douglas Snyder (909) 386-8401	\$100,000	\$0	\$100,000	Health, Safety & Grndwtr	Recalcitrant
4.	R02-069	Notice of Violations Dated 04/25/01 and 05/10/01	<b>East West Self Serve</b> 24051 Lake Drive Crestline, CA 92325 San Bernardino County	San Bernardino Co. Fire Department 620 South E St San Bernardino, CA 92415-0153	Douglas Snyder (909) 386-8401	\$100,000	\$0	\$100,000	Health, Safety & Grndwtr	Recalcitrant
5.	R02-070	Notice of Lien Dated 03/19/01	<b>Daggett Oil</b> 35487 National Trails Hwy. Daggett, CA 92327 San Bernardino County	San Bernardino Co. Fire Department 620 South E St San Bernardino, CA 92415-0153	Douglas Snyder (909) 386-8401	\$100,000	\$0	\$100,000	Health, Safety & Grndwtr	Recalcitrant
6.	R02-072	Notice of Violation Dated 01/31/01	<b>Mohawk Mini Mart</b> 19324 National Trails Hwy. Oro Grande, CA San Bernardino County	San Bernardino Co. Fire Department 620 South E St San Bernardino, CA 92415-0153	Douglas Snyder (909) 386-8401	\$100,000	\$0	\$100,000	Health, Safety & Grndwtr	Recalcitrant

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May 28, 2008

8.	R03-088	CAO No. R6T-2002-0004A1	<b>Pat &amp; Ollies</b> 10115 Donner Pass Rd. Truckee, CA 96160 Nevada County	RWQCB - Lahontan 2501 Lake Tahoe Blvd. South Lake Tahoe, CA 96150	Tamerle Lundquist (530) 542-5420	\$400,000	\$300,000	\$700,000	Health, Safety & Grndwtr	Recalcitrant
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**REGION 7**

RB Resolution R7-2008-0041 5/21/2008	1. R02-074	Cleanup & Abatement Order No. 95-069 Dated 06/22/95	<b>Deleon's Serv. Station</b> 51298 Harrison St Coachella, CA Riverside County	City of Coachella 1515 Sixth Street Coachella, CA 92236	Lorie Williams (760) 398-3502	\$750,000	\$0	\$750,000	Health, Safety & Grndwtr	Recalcitrant
	2.	Notice of Lien Dated 03/19/01	<b>Goff's General Store</b> 119246 Goffs Essex, CA 92332 San Bernardino County	San Bernardino Co. Fire Department 620 South E St San Bernardino, CA 92415-0153	Douglas Snyder (909) 386-8401	\$100,000	\$0	\$100,000	Health, Safety & Grndwtr	Recalcitrant
	3.	Notice of Lien Dated 03/19/01	<b>Grosvenor Square I</b> 100 Rice Road Rice, CA 92242 San Bernardino County	San Bernardino Co. Fire Department 620 South E St San Bernardino, CA 92415-0153	Douglas Snyder (909) 386-8401	\$100,000	\$0	\$100,000	Health, Safety & Grndwtr	Recalcitrant

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May 28, 2008

**REGION 8**

RB Resolution R8-2008-0050 4/18/2008	1.	R00-047	Corrective Action Order Dated 07/06/00	<b>Former Circle K Store</b> 8899 Limonite Avenue Pedley, CA Riverside County	RWQCB - Santa Ana 3737 Main St., #500 Riverside, CA 92501	Carl Bernhardt (951) 782-4495	\$750,000	\$250,000	\$1,000,000	Health, Safety & Grndwtr	Recalcitrant
	2.	R02-068	Notice of Violation Dated 11/30/00	<b>Roman's Construction</b> 42191 Big Bear Blvd. Big Bear Lake, CA 92315 San Bernardino County	San Bernardino Co. Fire Department 620 South E St San Bernardino, CA 92415-0153	Douglas Snyder (909) 386-8401	\$100,000	\$100,000	\$200,000	Health, Safety & Grndwtr	Recalcitrant
	3.	R00-055	Notice of Violation Dated 7/99	<b>Caliber Investment Property</b> 3270 W. Lincoln Ave. Anaheim, CA Orange County	City of Anaheim Public Utilities Dept. 201 S. Anaheim Blvd., Suite 601 Anaheim, CA 92805	Richard Wilson (714) 765-4053	\$1,500,000	\$0	\$1,500,000	Health, Safety & Grndwtr	Recalcitrant
	4.	R02-076	Notice of Lien Dated 03/19/01	<b>Bloomington Texaco</b> 18509 Valley Blvd. Bloomington, CA 92316 San Bernardino County	San Bernardino Co. Fire Department 620 South E St San Bernardino, CA 92415-0153	Douglas Snyder (909) 386-8401	\$100,000	\$100,000	\$200,000	Health, Safety & Grndwtr	Recalcitrant
	5.	R02-077	Notice of Lien Dated 03/19/01	<b>Rich Mart</b> 16501 Merrill Fontana, CA San Bernardino County	San Bernardino Co. Fire Department 620 South E St San Bernardino, CA 92415-0153	Douglas Snyder (909) 386-8401	\$100,000	\$100,000	\$200,000	Health, Safety & Grndwtr	Recalcitrant

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May 28, 2008										
6.	R03-091	Notice of Lien Dated 04/24/95	<b>Maurice Peters</b> 1098 West 5 <sup>th</sup> Street San Bernardino, CA 92411 San Bernardino County	San Bernardino Co. Fire Department 620 South E St. San Bernardino, CA 92415-0153	Douglas Snyder (909) 386-8401	\$100,000	\$100,000	\$200,000	Health, Safety & Grndwtr	Recalcitrant
7.	R04-095	Corrective Action Letter 03/06/02	<b>Former Kens ARCO</b> 2871 University Avenue Riverside, CA Riverside County	RWQCB - Santa Ana 3737 Main Street Riverside, CA 92501-3339	Valerie Jahn-Bull (909) 782-4903	\$300,000	\$200,000	\$500,000	Health, Safety & Grndwtr	Recalcitrant