

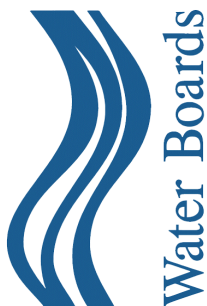


## State Water Resources Control Board

1001 I Street • Sacramento, California 95814

Phone: (916) 341-5254 Fax: (916) 341-5252

Web site: <http://www.waterboards.ca.gov> • Email: [info@waterboards.ca.gov](mailto:info@waterboards.ca.gov)



**FOR IMMEDIATE RELEASE**

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**Contact:** Kathie Smith

916-341-5263

### **Judgment Entered Against Big Oil & Tire Company for Underground Tank Violations in Humboldt County.**

**SACRAMENTO** – The State Water Board, in conjunction with the California Attorney General's Office, the Humboldt County District Attorney's Office and the California District Attorneys Association's Environmental Circuit Prosecutor Project, has obtained a \$1.1 million judgment against Big Oil & Tire Company (Big Oil) for monitoring and construction violations found at ten underground storage tank (UST) facilities owned and operated by Big Oil in Humboldt County.

Under the terms of the judgment, which resulted from a settlement, Big Oil will pay \$225,000 to the State Water Board and Humboldt County over a period of five years. In addition, Big Oil will pay \$50,000 to the State Water Board, Humboldt County and the California District Attorney Association for reimbursement of enforcement costs, including attorney's fees. Big Oil will receive \$418,000 in credit against additional penalties for improvements that Big Oil made to its UST systems that are above and beyond those required by law. The settlement suspends an additional \$407,000 in penalties for a period of five years, provided that Big Oil does not violate one or more of the following five provisions: (1) performing secondary containment testing, (2) repairing any tank system that fails secondary containment testing, (3) complying with overfill prevention requirements, (4) conducting 10-year lining inspection, or (5) performing cathodic protection testing.

Big Oil has had a long history of noncompliance with their UST facilities beginning in 2000 and continuing through the beginning of 2008. However, as a result of this enforcement action, Big Oil has brought its UST facilities into compliance and continues to implement needed repairs and replacements.

The settlement takes into account the financial status of Big Oil and the fact that Big Oil has a reduced capacity to pay significant penalties as compared to a major gasoline retailer that handles and stores larger quantities of petroleum products. Big Oil is an Employee Stock Ownership Plan (ESOP) Company and acts as a retirement plan for many of the Big Oil employees.

The State Water Board was represented by the California Attorney General's Office, in conjunction with the California District Attorney's Association, in this enforcement case and a copy of the complete settlement, which was filed with the Humboldt County

Superior Court, can be found on the State Water Board's website at:

[http://www.waterboards.ca.gov/water issues/programs/ust/enforcement/index.shtml](http://www.waterboards.ca.gov/water_issues/programs/ust/enforcement/index.shtml)