

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
COLORADO RIVER BASIN REGION

CLEANUP AND ABATEMENT ORDER NO. 88-147 (REVISION 1)  
AGAINST  
CIRCLE K CORPORATION

The Executive Officer of the California Regional Water Quality Control Board, Colorado River Basin Region, finds that:

1. Circle K Corporation (hereinafter referred to as the discharger), 3437 Myrtle Avenue, Suite 440, North Highlands, California 95660, is the owner/operator of Circle K Store #1443, located at 115 East Barioni Boulevard, Imperial California, 92251.
2. The Regional Board received an Underground Storage Tank Unauthorized Release Report on May 26, 1988, indicating that gasoline had leaked from the underground storage tank at the subject facility, resulting in soil and ground water contamination.
3. By letter dated June 23, 1988, the discharger was requested to conduct a remedial investigation of the contamination and submit a technical report, containing the results, to this office by August 31, 1988.
4. A letter dated July 26, 1988, was received from the discharger requesting a time extension to September 30, 1988 for submittal of the technical report.
5. By letter dated August 11, 1988, the discharger was granted a time extension to September 30, 1988 for submittal of the technical report.
6. On September 30, 1988, the Regional board received the report entitled, "Subsurface Investigation, Circle K Store #1443, 115 East Barioni Boulevard, Imperial, California 92251", prepared by Groundwater Technology, Inc., and dated September 22, 1988. The report does not provide a complete delineation of the lateral and vertical extent of the contaminant plume, as requested in the June 23, 1988 Regional Board letter.
7. On July 27, 1992, the discharger and their consultant, Groundwater Technology, Inc. met and conferred with Regional Board staff. Circle K verbally proposed a remediation program and additional monitoring
8. The discharger has caused or permitted the discharge of waste or wastewater into the waters of the State and created a condition of pollution.
9. Section 13304 of the California Water Code states, in part, that:

"Any person...who has caused or permitted...any waste to be discharged or deposited where it is, or probably will be, discharged into the waters of the State and creates, or threatens to create, a condition of pollution or nuisance, shall upon order of the Regional Board cleanup such waste or abate the effects thereof, or, in the case of threatened pollution or nuisance, take other necessary remedial action."

*Rescinded  
10/10/97*

10. This enforcement action is exempt from the California Environmental Quality Act pursuant to Section 15308 and 15321, Chapter 3, title 14 of the California Code of Regulations.

IT IS HEREBY ORDERED, that pursuant to Section 13304 of Division 7 of the California Water Code, the discharger shall comply with the following:

1. Cleanup and abate the effects of the discharge of gasoline in the soil and ground water at Circle K Store #1443, Imperial, California.
2. A pilot test for the proposed approved remedial system shall be completed and a report submitted by October 12, 1992.
3. The discharger must implement the approved remediation program by February 12, 1993.
4. The Monitoring and Reporting data is to be done on a quarterly basis beginning August 12, 1992 upon start-up of remedial program Monitoring and Reporting will be on a monthly basis.

ORDERED BY: Philip A. Glumberg  
Executive Officer

8-19-92  
Date

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
COLORADO RIVER BASIN REGION**

**CLEANUP AND ABATEMENT ORDER NO. 88-147  
AGAINST  
CIRCLE K CORPORATION**

The Executive Officer of the California Regional Water Quality Control Board, Colorado River Basin Region, finds that:

1. Circle K Corporation (hereinafter referred to as the discharger), 3437 Myrtle Avenue, Suite 440, North Highlands, California 95660, is the owner of Circle K Store #1443, located at 115 East Barioni Boulevard, Imperial, California, 92251.
2. The Regional Board received an Underground Storage Tank Unauthorized Release Report on May 26, 1988, indicating that gasoline had leaked from the underground storage tank piping at the subject facility, resulting in soil and ground water contamination.
4. By letter dated June 23, 1988, the discharger was requested to conduct a remedial investigation of the contamination and submit a technical report, containing the results, to this office by August 31, 1988.
5. A letter dated July 26, 1988, was received from the discharger which requested a time extension to September 30, 1988 for submittal of the technical report.
6. By letter dated August 11, 1988, the discharger was granted a time extension to September 30, 1988 for submittal of the technical report.
7. On September 30, 1988, the Regional Board received the report entitled, "Subsurface Investigation, Circle K Store #1443, 115 East Barioni Boulevard, Imperial, California 92251", prepared by Groundwater Technology, Inc., and dated September 22, 1988. The report does not provide a complete delineation of the lateral and vertical extent of the contaminant plume, as requested in the June 23, 1988 Regional Board letter.
8. The discharger has caused or permitted the discharge of waste into the waters of the State and created a condition of pollution.
9. Section 13304 of the California Water Code states, in part, that:

"Any person...who has caused or permitted...any waste to be discharged or deposited where it is, or probably will be, discharged into the waters of the state and creates, or threatens to create, a condition of pollution or nuisance, shall upon order of the regional board cleanup such waste or abate the effects thereof, or, in the case of threatened pollution or nuisance, take other necessary remedial action."

*Reviewed  
10/10/94*

12. This enforcement action is exempt from the California Environmental Quality Act pursuant to Section 15308 and 15321, Chapter 3, Title 14 of the California Code of Regulations.

IT IS HEREBY ORDERED, that pursuant to Section 13304 of Division 7 of the California Water Code, the discharger shall comply with the following:

1. Clean up or abate the effects of the discharge of gasoline in the soil and ground water at Circle K Store #1443, Imperial, California.
2. Submit to the Regional Board by February 1, 1988 a technical report containing the results of the complete subsurface investigation, as requested in the Regional Board letter dated June 23, 1988.
3. Within two weeks of submittal of the technical report, submit a cleanup proposal including the recovery of free product in the ground water and extraction of the contaminated ground water, if necessary.

ORDERED BY:

*Arthur Swajian*  
Executive Officer  
Nov. 21, 1988  
Date

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
COLORADO RIVER BASIN REGION

MONITORING AND REPORTING PROGRAM NO. 88-147

FOR  
CIRCLE K CORPORATION

Location of Discharge: Imperial - Imperial County

MONITORING

The discharger shall report to the Regional Board concerning the following:

1. Contaminated ground water shall be monitored monthly for the first six months, and quarterly thereafter, for benzene, toluene, xylene, ethylbenzene, and TPH as gasoline.
2. The volume of gasoline shall be measured during extraction.
3. The thickness of phase-separated product in the ground water monitoring wells shall be monitored monthly, prior to extraction.

REPORTING

1. The above monitoring data shall be submitted monthly to the Regional Board by the 15th day of the succeeding month for the first six months. Thereafter, the monitoring data shall be submitted quarterly by January 15th, April 15th, July 15th, and October 15th.
2. Submit monitoring reports to:

California Regional Water Quality Control Board  
Colorado River Basin Region  
73-271 Highway 111, Suite 21  
Palm Desert, CA 92260

ORDERED BY:

*Phil Gruenberg*  
Executive Officer

5-12-89

Date

#1472

CAD WAS RESCINDED 10/16/96