

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

AMENDED CLEANUP AND ABATEMENT ORDER R7-2012-0043A1
ESCHER OIL COMPANY
Coachella – Riverside County

The California Regional Water Quality Control Board, Colorado River Basin Region (hereinafter Regional Water Board), finds:

1. Mr. Leo Escher, owner of Escher Oil Company (EOC), hereinafter referred to as the Discharger, 72-713 Beavertail, Palm Desert, CA 92260, owned a 2.67 acre property site containing Above Ground Storage Tanks (ASTs), Underground Storage Tanks (USTs), assorted buildings, loading docks, and parking areas.
2. Mr. Echer sold this property in February 2006 to Mark R. Sprouse, Lee M. Osborne, and Stanley G. Paxon. In 2008, the property was sold to Beck Oil, Inc., the current property owner.
3. EOC is the former landowner and site operator, and is the primary responsible party for the purpose of cleaning up and abating the pollution at this property based on Regional Water Board records that document various petroleum spills having occurred when EOC was the owner and site operator.
4. The site address is 85-119 Avenue 50, Coachella, and is located in Riverside County, California, Section 5, T6S, R8E (latitude 33.6858 /longitude -116.11290).
5. The local land use in the immediate area is commercial/industrial.
6. The Regional Water Board records indicate that the site may have been established in the 1950s, and may have originally had eight ASTs and eight USTs.
7. The Regional Water Board records indicate the groundwater beneath the site has been adversely impacted for over 25 years by petroleum hydrocarbons. Despite modest efforts to cleanup and abate the pollution of on-site hydrocarbon impacted soils, the groundwater remains polluted by previous EOC on-site operations, including a significant amount with free product of petroleum hydrocarbons. The nature and vertical and lateral extent of groundwater contamination is yet to be fully characterized, and EOC is yet to start remediating the impacted groundwater.
8. A site assessment report, dated May 11, 2011, was submitted by EOC's current consultant, EnviroApplications, Inc. (EAI), to the Regional Water Board. This report indicates the presence of Liquid Petroleum Hydrocarbons product (LPH or free product) in groundwater monitoring wells P-1, P-2, and EOC-5b with significant thicknesses up to 2.08 feet.
9. California Code of Regulations (CCR), Title 23, Division 3, Chapter 16, Article 5, Section 2655 states: "Free product shall be removed in a manner that minimizes the spread of contamination into previously uncontaminated zones by using recovery and disposal techniques appropriate to the hydrogeologic conditions at the site".

10. Site remediation of EOC is overseen by the Regional Water Board under the Site Cleanup Program (SCP), pursuant to an agreement EOC entered into with the Regional Water Board to reimburse the Board for staff oversight costs, as authorized by Section 13365 of the CWC.
11. On June 21, 2012, the Regional Board adopted Cleanup and Abatement Order R7-2012-0043.
12. On February 6, 2013, in a letter to the Regional Water Board staff, the Discharger, through its consultant, EnviroApplications, Inc., requested that the February 15, 2013 deadline for submitting the Site Assessment Report required by Ordered paragraph 4 in CAO R7-2012-0043 be extended due to unforeseen access issues, which delayed the permitting process.
13. On February 21, 2013, the Regional Water Board posted for public comment Public Notice No. 7-13-23 on its website for this Order.
14. Issuance of this Order amending CAO R7-2012-0043 is exempt from provisions of CEQA (Pub. Resources Code, §21000 et seq.), pursuant to section 15308, Title 14, California Code of Regulations (CCRs) of the CEQA Guidelines (Cal. Code Regs., tit 14, §15000 et seq.) This Order is also categorically exempt from CEQA pursuant to CEQA Guidelines section 15321(a)(2).

IT IS HEREBY ORDERED, that Cleanup and Abatement Order R7-2012-0043 is amended in the manner specified below upon the adoption date of this Order, and in order to meet the provisions contained in Division 7 of the California Water Code (CWC) and regulations and guidelines adopted there under, the Discharger shall comply with the following:

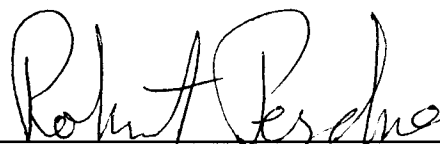
Page 5, Ordered Paragraph No. 4, shall be revised as follows:

“By April 2, 2013, submit a Site Assessment Report including the results of implementing the Site Investigation and Characterization work plan under Order 3.”

CAO R7-2012-0043:

All other Orders in CAO R7-2012-0043 remain in effect unless later modified by the Regional Water Board, the Regional Water Board’s Executive Officer, or his designated representative.

I, Robert E. Perdue, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, Colorado River Basin Region, on March 21, 2013.



ROBERT E. PERDUE, Executive Officer