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Subject: LAHONTAN WATER BOARD ISSUES \$412,900 ORDER TO MOHAMMAD AHMAD AND THE THOMAS E. ERICKSON TRUST FOR FAILURE TO COMPLY WITH CLEANUP AND ABATEMENT ORDER

California Regional Water Quality Control Board Lahontan Region

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NEWS RELEASE

FOR IMMEDIATE RELEASE

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LAHONTAN WATER BOARD ISSUES \$412,900 ORDER TO MOHAMMAD AHMAD AND THE THOMAS E. ERICKSON TRUST FOR FAILURE TO COMPLY WITH CLEANUP AND ABATEMENT ORDER

SOUTH LAKE TAHOE - The Lahontan Regional Water Quality Control Board has issued an Administrative Civil Liability (ACL) order to Mohammad Ahmad and the Thomas E. Erickson Trust in the amount of \$412,900. The order is for failing to comply with a Cleanup and Abatement Order (CAO) to define the extent of petroleum hydrocarbon releases and to clean up unauthorized releases of petroleum hydrocarbons from underground storage tanks, which have impacted groundwater. Issuing the \$412,900 ACL order is the latest step in an enforcement process that has resulted in the responsible parties returning to compliance with CAO requirements. The Water Board also believes the \$412,900 liability should provide a deterrent to others who may consider violating Water Board enforcement orders.

The releases, which were first identified in early 2007, occurred at the Tahoe Tom's Gas Station, located at 4029 Lake Tahoe Boulevard in South Lake Tahoe. Under Water Board directives, testing found leaks in three fill and turbine sumps and in all four dispenser nozzles. Mr. Ahmad was operating the business at the time of the releases, and the Thomas E. Erickson Trust owned the property.

On December 24, 2007, the Executive Officer of the Regional Water Board issued a Cleanup and Abatement Order to Mr. Ahmad and the Erickson Trust, which required the investigation and cleanup of releases of petroleum hydrocarbon constituents. Investigation of the releases was necessary to evaluate the threat to public health and the environment. Clean up and abatement was needed to contain plume migration in groundwater to prevent pollution of nearby domestic and municipal wells. In the ACL complaint, Water Board staff alleged that the two parties failed to comply with one CAO directive and complied late with six investigation and reporting directives.

At an October 14, 2009 public hearing, the Water Board heard testimony from Water Board staff and from Mr. Erickson about the allegations. Mr. Ahmad did not attend the meeting or submit evidence for consideration. After hearing that clean up and abatement was stopped at the site for 257 days during 2008, and that gasoline was detected in a nearby motel well, the Water Board increased the fine amount above the recommended \$248,400 to \$412,900. In adopting a higher penalty, the Water Board meant to send a message to the regulated community that it is serious in enforcing directives for investigation and cleanup and abatement.

The gas station is no longer owned and operated by the Erickson Trust and Mr. Ahmad. However, the parties have since come into compliance with Water Board orders for cleanup at the site. Cleanup actions are reducing petroleum hydrocarbons in groundwater and, thereby, reducing the threat to nearby wells.

The Lahontan Regional Water Board is a State of California office within the State Water Resources Control Board, an agency of the California Environmental Protection Agency.

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