

STATE WATER RESOURCES CONTROL BOARD
RESOLUTION NO. 2000 - 055

ADOPTING THE CIRCLE K (CK) ACCOUNT FISCAL YEAR (FY) 2000-2001 ANNUAL
PRIORITY LIST – AMENDMENT #6; AND AUTHORIZING THE UNDERGROUND
STORAGE TANK (UST) CLEANUP FUND TO PROCESS AND PAY CLAIMS

WHEREAS:

1. Through bankruptcy proceedings, the CK Corporation has abandoned numerous petroleum UST sites in California and many of the USTs have had unauthorized releases;
2. The State Water Resources Control Board has executed a settlement agreement with CK Corporation and affiliated debtors, which was effective July 26, 1993. Under the agreement California was awarded approximately \$3.9 million, to be provided in annual payments over a seven-year period, to pay landlords and other persons for costs associated with tank removal and cleanup at designated sites;
3. Section 25299.50, Article 6, Chapter 6.75, Division 20, California Health and Safety Code authorizes the State Water Resources Control Board to create accounts within the UST Cleanup Fund;
4. The State Water Resources Control Board has established procedures for administering the CK Settlement Trust Fund, which was created by virtue of the State Water Resources Control Board's authority expressed in Section 25299.50;
5. The State Water Resources Control Board adopted its initial CK Account Annual Priority List on May 18, 1994;
6. The CK Account FY 2000-2001 Annual Priority List includes 25 claims submitted after July 15, 1999 (the date Amendment No. 5 was adopted) but prior to June 1, 2000. Claims will be paid in date received order. The final filing date to file a corrective action claim under the CK Account is July 26, 2000. All claims received on/or after June 1, 2000 through July 26, 2000, will be reviewed for eligibility and, if eligible, will be proposed for addition to the CK Account FY 2000-2001 Annual Priority List for payment. All money remaining in the CK Account after the final payments have been made will revert to the UST Cleanup Fund per the Bankruptcy Settlement Agreement; and
7. It is estimated that approximately \$470,000.00 is available for CK payments for FY 2000-2001. Sufficient funding is available to provide the requested funding for all 25 claims.

THEREFORE BE IT RESOLVED THAT:

The State Water Resources Control Board:

1. Adopt the CK Account FY 2000-2001 Annual Priority List – Amendment #6; and
2. Authorize the USTCF to process and pay claims in priority order.

CERTIFICATION

The undersigned, Administrative Assistant 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 Resources Control Board held on July 20, 2000.

/s/

Maureen Marchè

Administrative Assistant to the Board

Note: for a copy of Amendment #6, please contact Jennifer White at (916) 227-0744