

## SUMMARY OF WATER QUALITY ORDER

<b>ORDER NO.</b>	WQ 2009-0001-UST
<b>DATE ADOPTED</b>	February 3, 2009
<b>PETITION TITLE</b>	Petition of Ultramar, Inc.
<b>POPULAR NAME [if applicable]</b>	Ultramar
<b>REGIONAL BOARD/LOCAL AGENCY</b>	Sonoma County Local Oversight Program
<b>FILE NO[S]</b>	SWRCB/OCC File P06-230

### PRECEDENTIAL DECISION

Sonoma County oversees cleanup at this underground storage tank (UST) site. They identified Ultramar as a primary responsible party and Mr. Saied Molavi (Molavi), the Dolores Hansen Trust (Trust), and Sonoma Super Gas (SSG) as secondary responsible parties. This was based upon Sonoma County's determination that the existing contamination at the site was due only to a release that occurred before 1991 and from a UST owned and operated by Ultramar. (This UST system was removed and replaced in 1991, at about the same time that Ultramar sold the site to Molavi and Hansen.) Ultramar argued that there had been a subsequent release from the existing USTs at the site and that Molavi, the Trust, and SSG should be identified as primary responsible parties, too.

The order finds that a new release occurred after 1991 from the existing USTs and that the current owners of the USTs and the property and the operator of the UST (Molavi and the Trust) should be added to the list of primary responsible parties. The order also finds that SSG cannot be identified as a responsible party at this time because there is insufficient evidence in the record to support a finding that SSG is an entity separate from Molavi or that it falls within one of the category of persons that can be identified as a responsible party.

The order directs Sonoma County to add Molavi and the Trust to the list of primary responsible parties for this UST cleanup site.