

To the Regional Water Quality Board  
From: Wine Country Gateway Recreational Vehicle Park LLC

Dear Sirs / Madams

I work for the current owners of 81 Wellsona Road in Paso Robles, (Wine Country Gateway Recreational Vehicle Park LLC "WCG" a currently closed service station, located on the southwest corner Wellsona Road, and the 101 Freeway, I am sure you have driven past it for many years. The current owners purchased the property November of 2007. At that time the current tenant was Eagle Energy who was operating the station under lease. The current owners terminated Eagles tenancy as soon as possible as they did operate the station in a fashion commensurate with what the public is entitled to.

## **HISTORY**

In or near 1993 your staff would have the exact records, the Owners and Operators of the station, John and Pennie Wolf ( The "Wolfs" who were and remain the "Responsible Parties") had a small leak from a tank and or fuel line. The leak was repaired and soil was dug up and remediated according to your records. I cannot attest to any of these matters as they occurred almost 15 years prior to current owners purchasing the property. However, prior to purchasing the property we met with a member of the Staff for this board, and were informed that there was some residual contamination in the shallow groundwater and that was above acceptable levels. That sat for almost 15 years untreated, even by the parties that purchased the station from the Wolfs in 2000.

Monitoring results show that these levels have been steadily decreasing over the past 15 years, but that no treatment was mandated or ever required by your staff during that period. Both the Wolfs and the Party they sold the property to in 2000 (San Paso Truck Stop LLC), never took any further action other than monitoring. However, a fund of over \$1,000,000 was set aside from the UST funds for the clean up of this station.

Please bear in mind that the current owners are not the responsible parties and never were, the Wolfs have always been and remain so. They have given me the authority to work on closing this matter. Personally they have not the slightest interest in the matter anymore. They are retired and Mr. Wolf was severely injured last year, they lost all of their savings in due to the Economic "recession". They live on social security in rural part of Idaho. While I have been working on this matter, on their behalf I am not receiving any compensation from them. In fact I have incurred measurable out of pocket costs in this matter.

## **CURRENT STATUS**

Upon purchasing the property, the current owners immediately hired Stantec (Then Secor) engineering to supervise the clean up of the property. Stantec looked for the quickest and most expeditious way to clean up the site without wasting UST funds on overly elaborate methods, that had been bandied about by the previous engineer who was supervising the monitoring. Also a member of your staff had asked that we not turn this molehill into a mountain, of expenditures.

Since then the current owners have been moving as fast as your staff will allow to clean up the site and close this matter so that the funds set aside for this matter can be put to other uses to benefit the public.

The current owners feel they have achieved this, the Hydrogen Peroxide injections, your staff can inform you of the most recent monitoring numbers, rather than accept my word for it. With all but a minor exception of Benzene in two wells being very very slightly above closure levels.

### **WHAT WE FEEL THE STAFF'S POSITION IS**

This is solely based on conversations with various Staff Members, and not on any writings, and welcome staff to place and such positions in writing. Based those conversations Staff seems to think that continued monitoring with no direct end in sight is warranted.

Staff has several concerns which we feel we have addressed with regards to drinking wells, and we have and are forwarding data to them to show that no drinking wells are or have been contaminated.

There is one allegorical reference to a drinking well being tested and coming back high that is referred to in the State Review, however, there is no data that identifies the test date, the location (specifically) of the well, and or the actual test result, or performed it. For all we know the entry in geotracker could very well simply be an error. We certainly cannot verify what this refers to. However, the well on this property is not and never has been shown in a test (to the owners knowledge) to contaminated and it is by far the closest well to the clean up.

### **WHAT WE ARE REQUESTING**

We asked to be placed on the calendar for this meeting. The current owners would like this matter closed.

Why? There are several factors to consider that the owners feel merit consideration.

1. They did not create this problem, nor are they the responsible party yet have expend considerable time and effort to remedy this problem

2. The current owners are now facing considerable hardship, the prior owners were allowing the operator to run the station in violation of Environmental Health Services, they hid this from the current owners who upon discovering this shut down the station.
3. At the time the this property was purchased, the current owners did know that the station needed upgrading and rehabilitation and had sufficient equity in the land to accomplish this. However, with the collapse of the Banking system, it is now impossible to obtain financing on the equity in the land in order to rehab and re-open station. If it were not, the owners would allow staff to monitor the site until the old proverb of the cows returning.

## **SUMMARY**

Quite simply it is in no ones interest to keep this site open any more for the following reasons.

1. The contamination was old, it sat for 15 years, it was treated, monitoring is not treatment, and there is simply no evidence that would suggest that any flare up in the future would occur from this matter.
2. Monitoring is not treatment, it simply uses money from the UST fund that can be actually used to clean up sites that really do need it. Right now, a large sum of money sits unused in a State Fund solely for this sight that can be used far more effectively to benefit the citizens of the region than this site.
3. Public Policy. The current owners are outsiders to the area that is true, they purchased a site with a known contamination, and have moved as rapidly as possible to clean it up. It simply makes no sense to inhibit the rehabilitation and reopening of this station.
  - a. Yes the owners clearly understand that This Board has not direct responsibility for the Banking issues, however, it is now this matter that is preventing it.
  - b. Closing this matter would allow the owners to obtain financing to rehab the station, it would create new jobs, employment, and most importantly revenue going into the UST to fund real public benefits. Also it will allow and ugly building to be cleaned up.
4. But Perhaps the most pervasive reason is one that has not been considered till now. The future clean up of other sites. Like it or not, the banking crisis has now made any site with open matters “Toxic” to Banks. No one wants them as their equity is essentially worthless. However, property changes hands frequently and will more so with this economy. That many sites that are in need of clean up are not being cleaned up because the current owners have no money. No one will want to purchase sites and do any remediation and rehabilitation if they believe they will be tied up with no clear end to having an open environmental matter.

No one is asking here that a dirty site be ignored, they are asking for a reasonable look at the best interests of the public.

Accordingly, I ask that this matter be closed in as soon as possible, if not I ask that this Board prepares, or directs Staff to prepare, a response to my summary points above particularly points 3 and 4.

Sincerely  
Gerard Martorano  
For Wine Country Gateway RV Park LLC