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## Lahontan Regional Water Quality Control Board

January 23, 2019

### INTERESTED PERSONS

#### **Public Comment Period – Notice of Proposed Rescission of Cleanup and Abatement Order for Petroleum Discharges from the Former Pat & Ollies - Gateway Gasoline Station, Truckee, Nevada County – Written Comments Due No Later than 5:00 PM, February 7, 2019**

On January 18, 2002, the Lahontan Regional Water Quality Control Board (Water Board) issued Cleanup and Abatement Order No. R6T-2002-0004 (Order) to Oliver Crose (Discharger) to address violations of waste discharge prohibition violations contained within the *Water Quality Control Plan for the Lahontan Region* (Basin Plan). The Order required the Discharger to cleanup and abate the discharge of petroleum products to groundwater from the former Pat & Ollies - Gateway Gasoline Station (Site) located at 11015 Donner Pass Road in Truckee, CA. On July 24, 2002, Amended Cleanup and Abatement Order No. R6T-2002-0004-A1 (Amended Order) was issued to the Discharger to modify the requirements of the Order.

As discussed in the enclosed draft document, the Discharger has complied with the requirements of the Order, as amended. Therefore, Water Board staff proposes rescinding Cleanup and Abatement Order No. R6T-2002-0004, as amended. The enclosed draft document will rescind Cleanup and Abatement Order No. R6T-2002-0004 and its amendment upon its signature by the Water Board's Executive Officer. This public notification letter and the enclosed draft document are also available at the Water Board's website:

[http://www.waterboards.ca.gov/lahontan/water\\_issues/programs/enforcement/](http://www.waterboards.ca.gov/lahontan/water_issues/programs/enforcement/)

#### **Persons may comment on the proposed rescission by submitting written comments so that they are received no later than 5:00 p.m. on February 7, 2019.**

Please include "Pat & Ollies CAO Rescission" in the subject line and submit by email to [RB6enfproceed@waterboards.ca.gov](mailto:RB6enfproceed@waterboards.ca.gov). For those that do not have the ability to email comments, please include the same subject line, as above, and send your written comments to:

Lahontan Regional Water Quality Control Board  
2501 Lake Tahoe Blvd  
South Lake Tahoe, CA 96150  
ATTN: Jeff Brooks

PETER C. PUMPHREY, CHAIR | PATTY Z. KOUYOUMDJIAN, EXECUTIVE OFFICER

If you have any questions concerning this matter, please contact me at (530) 542-5420 ([Jeff.Brooks@waterboards.ca.gov](mailto:Jeff.Brooks@waterboards.ca.gov)).

A handwritten signature in blue ink that reads "J. A. Brooks". The signature is written in a cursive, flowing style.

Jeff Brooks, PG  
Senior Engineering Geologist

Enclosure: Former Pat & Ollies CAO Rescission Proposed Order

cc: Patty Z. Kouyoumdjian, Lahontan Water Board  
Emily Cushman, Lahontan Water Board  
Abby Cazier, Lahontan Water Board  
Katrina Fleshman, Lahontan Water Board  
Elizabeth Beryt, State Water Board, Office of Chief Counsel  
Interested Party Mailing List

AC/ma/T: Pat and Ollies CAO Rescission (Proposed)  
File Under: GeoTracker

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD  
LAHONTAN REGION**

**BOARD ORDER NO. R6T-2019-(PROPOSED)**

**RESCISSION OF CLEANUP AND ABATEMENT ORDER NO. R6T-2002-0004 AND  
AMENDMENT NO. R6T-2002-0004-A1 ISSUED TO PAT & OLLIES – GATEWAY  
GASOLINE STATION**

**FOR**

**DISCHARGING PETROLEUM PRODUCTS TO GROUNDWATERS WITHIN THE  
TRUCKEE RIVER HYDROLOGIC UNIT IN VIOLATION OF WASTE DISCHARGE  
PROHIBITIONS CONTAINED WITHIN THE WATER QUALITY CONTROL PLAN FOR  
THE LAHONTAN REGION**

\_\_\_\_\_  
Nevada County

The California Regional Water Quality Control Board, Lahontan Region (Water Board) finds:

1. Oliver and Heather Hunt Crose 1996 Family Trust (Discharger) owns the former Pat & Ollies – Gateway Gasoline Station (Site) located at 11015 Donner Pass Road in Truckee, California, on Nevada County Assessor's Parcel No. (APN)18-630-009 (formerly APN 19-092-04).
2. On December 21, 2001, a fiberglass underground storage tank (UST) was inadvertently punctured causing approximately 6,000 gallons of gasoline to be released to the soil.
3. On December 27, 2001, the 6,000-gallon UST and contaminated soil from beneath the UST were removed and hauled offsite for disposal. The excavation was backfilled with pea gravel and groundwater was not encountered.
4. Site assessment investigations determined that the discharge of petroleum hydrocarbons impacted the groundwater of the Truckee River Hydrologic Unit, violating waste discharge prohibitions contained within the *Water Quality Control Plan for the Lahontan Region* (Basin Plan)<sup>1</sup>. The discharge of petroleum products to groundwater violated and threatened to violate the following discharge prohibitions in the Basin Plan:

*"The discharge of waste as defined in Section 13050(d) of the California Water Code<sup>2</sup> which would violate the water quality objectives of the plan, or otherwise*

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<sup>1</sup> The *Water Quality Control Plan for the Lahontan Region* became effective in 1995.

<sup>2</sup> Pursuant to California Water Code section 13050, subdivision (d): "Waste" includes sewage and any and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from  
*(footnote continued on next page)*

*adversely affect the beneficial uses of water designated by this plan, is prohibited.*

*“The discharge of waste that causes violation of any narrative or numeric water quality objective contained in this plan is prohibited.”*

5. On January 18, 2002, the Water Board issued Cleanup and Abatement Order No. R6T-2002-0004 (Order) to the Discharger. The Order required the Discharger to cleanup and abate the effects of petroleum products discharged from the UST at the Site to the groundwater of the Truckee River Hydrologic Unit. The Order required the Discharger to take immediate actions to remove floating free product, define the extent of groundwater contamination, and implement interim and final groundwater vadose zone remediation. The Order also required monthly monitoring and remediation status reporting.
6. On July 24, 2002, Amended Cleanup and Abatement Order No. R6T-2002-0004-A1 (Amended Order) was issued by the Water Board to the Discharger to reduce the monitoring and remediation status report frequency from monthly to quarterly.
7. The last groundwater monitoring event conducted at the site was completed in April 2015. Maximum benzene concentrations have been reduced from 640,000 micrograms per liter ( $\mu\text{g/L}$ ) to 320  $\mu\text{g/L}$  and maximum methyl tertiary butyl ether (MTBE) concentrations have been reduced from 950,000  $\mu\text{g/L}$  to 950  $\mu\text{g/L}$ ; benzene and MTBE near the former source area were reported at concentrations of 22 and 110  $\mu\text{g/L}$ , respectively. The remaining concentrations of benzene and MTBE in groundwater exceeding water quality objectives are located under the northwest portion of the site at the intersection of Donner Pass Road and Lake Avenue. The contaminant plume is stable with a length of approximately 190 feet.
8. In 2012, the State Water Resources Control Board adopted the “Low-Threat Underground Storage Tank Case Closure Policy” (Policy). The Policy established closure criteria for underground storage tank cases which are protective of human health and the environment. The Policy allows minor residual petroleum and MTBE contamination in groundwater at levels expected to naturally attenuate based on low contaminant concentrations, small plume size, and adequate distance to drinking water wells and surface water bodies. The Policy also established closure criteria to be met in soil and groundwater for potential exposure pathways including exposure by direct contact with soil, outdoor air exposure, and indoor air exposure.
9. On December 18, 2015, Water Board staff issued a letter recommending No Further Action Required for the historical petroleum release at the subject property based on the available data, indicating case closure satisfies the Policy’s closure criteria.
10. The Water Board staff finds that the corrective actions taken by the Discharger adequately address the requirements of the Order, as amended. The corrective actions

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any producing, manufacturing, or processing operation, including waste placed within containers of whatever nature prior to, and for purposes of, disposal.

taken by the Dischargers have mitigated the historical petroleum releases from underground storage tanks to concentrations that satisfy the Policy's closure criteria.

11. The Discharger has complied with the requirements of the Order, as amended; and therefore, it is in the public interest to rescind the Order and its amendment. The Water Board has notified the Discharger and interested persons of its consideration of case closure (No Further Action Required) for the historical unauthorized release of petroleum products at the site through a 60-day public notice and request for comments. No comments were received.
12. Issuance of this Rescission Order is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, section 21000, et seq.), in accordance with title 14, California Code of Regulations, section 15321.

**IT IS HEREBY ORDERED** that Cleanup and Abatement Order No. R6T-2002-0004, as amended, be rescinded.

Ordered by: \_\_\_\_\_ Dated: \_\_\_\_\_  
PATTY Z. KOUYOUMDJIAN  
EXECUTIVE OFFICER