

Addendum No. 1 to CAO R9-2005-0017

#1: By direction of the Regional Board at their November 9, 2005 Regional Board meeting a correction to the typographical error in Finding 3 of CAO R9-2005-0017 has been made. The correction is noted as follows: “ Site investigations have found elevated PCE and TCE concentrations in soil at 55,000 ug/kg (PCE) at 14 feet below ground surface (bgs) and ~~260,000~~ 260 ug/kg (TCE) at 2 feet bgs.”

#2: The following responsible parties shall be added to CAO R9-2005-0017.

MASTER TENANTS

La Caze Escondido Partnership (Exhibit I)-

The Lovetts One Hour Dry Cleaners is part of the Escondido Village Mall shopping center. The Escondido Village Mall was operated by various “master tenants” under long term ground leases of the shopping center property. The master tenants controlled all activities at the shopping center, and leased the dry cleaner facility out to various subtenant dry cleaners.

La Caza Escondido Partnership became a master tenant of the Escondido Village Mall on January 1, 1992 (original version 1961) through a Ground Lease from the Bulen Family Trust. Section 4.3 Maintenance of Premises of the Ground Lease states: “ Tenant shall keep and maintain the Premises, and every part thereof, in a clean, neat, sightly and wholesome condition, and in conformity with all federal, state and municipal laws, statutes, ordinances and regulations. Section 4.4 Environmental Requirements of the Ground Lease states: “Tenant shall not cause or permit the existence, and shall not cause or permit the commission by Tenant, or any of the Tenant’s Subtenants or their respective tenants, subtenants, concessionaires, employee, contractors, or invitee (collectively “Occupants”), and shall use its best efforts to prevent the commission by any other person, of a violation of any Environmental Requirements upon or beneath the Project or any portion thereof.

Williams Investments LLC

Williams Investments LLC entered into a Ground Lease with Escondido Venture 99 (a.k.a La Caze Escondido Partnership) in January 2004.

DRY CLEANER SUBTENANTS

- 1) Khosrou Tahbaz – Assignment of Drycleaner Sublease from Vern Lovett to Khosrou Tahbaz (Involvement began August 1994 date of Assignment of Lease) (Exhibit H)**

- 2) Vern Lovett – Assignment of Escondido Village Mall Drycleaner Sublease from La Caze Escondido Partnership to Vern Lovett (December 1991 date of Sublease) (Exhibit K)**

3) Wayne Terry (Mr. Terry's One Hour Cleaners) – Escondido Village Mall Drycleaner Sublease from La Case Escondido Partnership to Wayne Terry (July 1986) (Exhibit L) Mr. Terry was also the operator and/or franchisee under the One Hour Martinizing business name.

4) Martinizing Dry Cleaning Martin Franchises, Inc. – Operator of a Drycleaning facility. (1966 to 1984) (Exhibit C and D*)

#3 Provision indicating that deadlines prescribed for particular cleanup and abatement activities may be changed and extended upon a showing of good cause.

#4 Delete the existing final compliance deadline and replace it with a provision that Regional Board will establish the final compliance deadline when cleanup and abatement actions have been selected.