

GW - 050-5

IN SPECTION

As noted in the reissued permit sent on May, 20 2009. See Permit attachment for photos.

Agave Resources has until July 1, 2009 to send in a report.

16. OCD Inspections: The OCD performed an inspection of this facility on April 24, 2009. The OCD has concluded the following, (Photos are in the attached inspection sheet):

1. **Photo 1 – 4:** Several sumps within secondary containments are being used as below grade tanks. Agave shall properly clean out all sumps and inspect them for integrity. Agave shall submit the results of inspection and submit accompanying photos to the OCD.
2. **Photo 5:** AST is not noted on the facility schematic. AST is not properly bermed. Agave shall re-engineer this AST to meet permit conditions.
3. **Photo 6 – 11:** Several areas show direct discharge on to the ground. Agave shall properly clean up these contaminated areas.

Agave Energy Company shall submit a report with reference photos on the resolution of this inspection by **July 1, 2009**. Agave is reminded that a discharge plan permitted facility is to abide to best management practices by preventing discharges on to the ground. Agave shall promptly clean up and prevent any contamination of the vadose zone and ground water at this facility.

Agave shall present the discharge permit conditions to all individuals in operation of this facility by **July 1, 2009**.