# STATE OF CALIFORNIA STATE WATER RESOURCES CONTROL BOARD

#### ORDER WQ 2013-0006-UST

## In the Matter of Underground Storage Tank Case Closure

Pursuant to Health and Safety Code Section 25299.39.2 and the Low Threat Underground Storage Tank Case Closure Policy

#### BY THE EXECUTIVE DIRECTOR<sup>1</sup>:

Pursuant to Health and Safety Code section 25299.39.2, the Manager of the Underground Storage Tank Cleanup Fund (Fund) recommends closure of the underground storage tank (UST) case at the site listed below.<sup>2</sup> The name of the Fund claimant, the Fund claim number, the site name and the applicable site address are as follows:

Lorriane Bostard
Claim No. 8575
Gas and Goodies
1076 East Rankin Avenue, Tulare
Tulare County Environmental Health Division

## I. STATUTORY AND PROCEDURAL BACKGROUND

Section 25299.39.2 directs the Fund manager to review the case history of claims that have been active for five years or more (five-year review), unless there is an objection from the UST owner or operator. This section further authorizes the Fund Manager to make recommendations to the State Water Resources Control Board (State Water Board) for closure of a five-year-review case if the UST owner or operator approves. In response to a recommendation by the Fund Manager, the State Water Board, or in certain cases the State Water Board Executive Director, may close a case or require the closure of a UST case. Closure of a UST case is appropriate where the corrective action ensures the protection of human health, safety, and the environment and where the corrective action is consistent with:

<sup>&</sup>lt;sup>1</sup> State Water Board Resolution No. 2012-0061 delegates to the Executive Director the authority to close or require the closure of any UST case if the case meets the criteria found in the State Water Board's Low Threat Underground Storage Tank Case Closure Policy adopted by State Water Board Resolution No. 2012-0016.
<sup>2</sup> Unless otherwise noted, all references are to the Health and Safety Code.

- 1) Chapter 6.7 of Division 20 of the Health and Safety Code and implementing regulations;
- 2) Any applicable waste discharge requirements or other orders issued pursuant to Division 7 of the Water Code; 3) All applicable state policies for water quality control; and 4) All applicable water quality control plans.

The Fund Manager has completed a five-year review of the UST case identified above, and recommends that this case be closed. The recommendation is based upon the facts and circumstances of this particular UST case. A UST Case Closure Review Summary Report has been prepared for the case identified above and the bases for determining compliance with the Water Quality Control Policy for Low-Threat Underground Storage Tank Case Closures (Low-Threat Closure Policy) are explained in the Case Closure Review Summary Report.

## A. Low-Threat Closure Policy

In State Water Board Resolution No. 2012-0016, the State Water Board adopted the Low Threat Closure Policy. The Policy became effective on August 17, 2012. The Policy establishes consistent statewide case closure criteria for certain low-threat petroleum UST sites. In the absence of unique attributes or site-specific conditions that demonstrably increase the risk associated with residual petroleum constituents, cases that meet the general and media-specific criteria in the Low-Threat Closure Policy pose a low threat to human health, safety and the environment and are appropriate for closure under Health and Safety Code section 25296.10. The Policy provides that if a regulatory agency determines that a case meets the general and media-specific criteria of the Policy, then the regulatory agency shall notify responsible parties and other specified interested persons that the case is eligible for case closure. Unless the regulatory agency revises its determination based on comments received on the proposed case closure, the Policy provides that the agency shall issue a closure letter as specified in Health and Safety Code section 25296.10. The closure letter may only be issued after the expiration of the 60-day comment period, proper destruction or maintenance of monitoring wells or borings, and removal of waste associated with investigation and remediation of the site.

Health and Safety Code section 25299.57, subdivision (I)(1) provides that claims for reimbursement of corrective action costs that are received by the Fund more than 365 days after the date of a closure letter or a Letter of Commitment, whichever occurs later, shall not be reimbursed unless specified conditions are satisfied. A Letter of Commitment has already been issued on the claim subject to this order and the respective Fund claimant, so the 365-day timeframe for the submittal of claims for corrective action costs will start upon the issuance of the closure letter.

#### II. FINDINGS

Based upon the UST Case Closure Review Summary Report prepared for the case attached hereto, the State Water Board finds that corrective action taken to address the unauthorized release of petroleum at the UST release site identified as:

#### **Claim No. 8575**

## **Gas and Goodies**

ensures protection of human health, safety and the environment and is consistent with Chapter 6.7 of Division 20 of the Health and Safety Code and implementing regulations, the Low-Threat Closure Policy and other water quality control policies and applicable water quality control plans.

Pursuant to the Low-Threat Closure Policy, notification has been provided to all entities that are required to receive notice of the proposed case closure, a 60-day comment period has been provided to notified parties, and any comments received have been considered by the Board in determining that the case should be closed.

The UST case identified above may be the subject of orders issued by the Regional Water Quality Control Water Board (Regional Water Board) pursuant to Division 7 of the Water Code. Any orders that have been issued by the Regional Water Board pursuant to Division 7 of the Water Code, or directives issued by a Local Oversight Program agency for this case should be rescinded to the extent they are inconsistent with this Order.

## III. ORDER

## IT IS THEREFORE ORDERED that:

- A. The UST case identified in Section II of this Order, meeting the general and media-specific criteria established in the Low-Threat Closure Policy, be closed in accordance with the following conditions and after the following actions are complete. Prior to the issuance of a closure letter, the Fund claimant is ordered to:
  - 1. Properly destroy monitoring wells and borings unless the owner of real property on which the well or boring is located certifies that the wells or borings will be maintained in accordance with local or state requirements;

- 2. Properly remove from the site and manage all waste piles, drums, debris, and other investigation and remediation derived materials in accordance with local or state requirements; and
- 3. Within six months of the date of this Order, submit documentation to the regulatory agency overseeing the UST case identified in section II of this Order that the tasks in subparagraphs (1) and (2) have been completed.
- B. The tasks in subparagraphs (1) and (2) of Paragraph (A) are ordered pursuant to Health and Safety Code section 25296.10 and failure to comply with these requirements may result in the imposition of civil penalties pursuant to Health and Safety Code section 25299 subdivision (d)(1). Penalties may be imposed administratively by the State Water Board or Regional Water Board.
- C. Within 30 days of receipt of proper documentation from the Fund claimant that requirements in subparagraphs (1) and (2) of Paragraph (A) are complete, the regulatory agency that is responsible for oversight of the UST case identified in Section II of this Order shall notify the State Water Board that the tasks have been satisfactorily completed.
- D. Within 30 days of notification from the regulatory agency that the tasks are complete pursuant to Paragraph (C), the Deputy Director of the Division of Financial Assistance shall issue a closure letter consistent with Health and Safety Code, section 25296.10, subdivision (g) and upload the closure letter and UST Case Closure Review Summary Report to GeoTracker.
- E. As specified in Health and Safety Code section 25299.39.2 subdivision (a) (2), corrective action costs incurred after a recommendation of closure shall be limited to \$10,000 per year unless the Board or its delegated representative agrees that corrective action in excess of that amount is necessary to meet closure requirements, or additional corrective actions are necessary pursuant to section 25296.10 subdivision (a) and (b). Pursuant to section 25299.57, subdivision (I) (1), and except in specified circumstances, all claims for reimbursement of corrective action costs must be received by the Fund within 365 days of issuance of the closure letter in order for the costs to be considered.

F. Any Regional Water Board or Local Oversight Program Agency directive or order that directs corrective action or other action inconsistent with case closure for the UST case identified in Section II is rescinded, but only to the extent the Regional Water Board order or Local Oversight Program Agency directive is inconsistent with this Order.

**Executive Director** 

Date





#### **State Water Resources Control Board**

#### **UST CASE CLOSURE REVIEW SUMMARY REPORT**

**Agency Information** 

Agency Name: Tulare County Environmental Health Division (County)	Address: 5957 South Mooney Boulevard, Visalia, CA 93277
Agency Caseworker: Amrit Clair	Case No.: 669

#### **Case Information**

USTCF Claim No.: 8575	Global ID: T0610700291			
Site Name: Gas and Goodies	Site Address: 1076 East Rankin Avenue, Tulare, CA 93274			
Responsible Party: Maira Lorraine Bostard	Address: 1076 East Rankin Avenue, Tulare, CA 93274			
USTCF Expenditures to Date: \$199,893	Number of Years Case Open: 18			

URL: <a href="http://geotracker.waterboards.ca.gov/profile">http://geotracker.waterboards.ca.gov/profile</a> report.asp?global id=T0610700291

## Summary

The Low-Threat Underground Storage Tank (UST) Case Closure Policy (Policy) contains general and media-specific criteria, and cases that meet those criteria are appropriate for closure pursuant to the Policy. This case meets all of the required criteria of the Policy. A summary evaluation of compliance with the Policy is shown in **Attachment 1: Compliance** with **State Water Board Policies and State Law**. The Conceptual Site Model (CSM) upon which the evaluation of the case has been made is described in **Attachment 2: Summary of Basic Site Information (Conceptual Site Model)**. Highlights of the case follow:

An unauthorized leak was identified in December 1993 after three gasoline USTs had been removed. Over-excavation was conducted in 1993 to a total depth of 38 feet. Dual phase extraction was briefly conducted in October 2007 and approximately 407 pounds of total petroleum hydrocarbons as gasoline (TPHg) were removed from the subsurface. According to groundwater data, water quality objectives (WQO) have been achieved for all constituents except for TPHg, benzene, xylenes and methyl tert-butyl ether (MTBE).

According to data available in GeoTracker, no California Department of Public Health (CDPH) regulated Public Supply Wells or surface water bodies lie within 250 feet of the defined plume boundary. No other supply wells within 250 feet of the defined plume boundary have been identified in files reviewed. Water users in the vicinity of the Site rely on the City of Tulare, Public Works Department, Water Division. The affected groundwater is not currently being used as a source of drinking water, and it is highly unlikely that the affected groundwater will be used as a source of drinking water in the foreseeable future.

Other designated beneficial uses of impacted groundwater are not threatened and it is highly unlikely that they will be considering these factors in the context of the site setting. Remaining petroleum hydrocarbon constituents are limited, stable and concentrations declining. Corrective actions have been implemented and additional corrective actions are not necessary. Any remaining petroleum hydrocarbon constituents do not pose a significant risk to human health, safety or the environment.

# Rationale for Closure under the Policy

- General Criteria: The case meets all eight Policy general criteria.
- Groundwater: The case meets Policy Criterion 1 by Class 1. The plume that exceeds WQO is less than 100 feet in length. No free product is present. The nearest water supply well or surface water is greater than 250 feet from the defined plume boundary.
- Vapor Intrusion to Indoor Air: The case meets the Policy Active Station Exemption Soil vapor evaluation is not required because the Site is an active commercial petroleum fueling facility.
- Direct Contact and Outdoor Air Exposure: The case meets Policy Criterion 3a. Soil
  removed by excavation to a depth of 38 feet and backfilled with imported fill. Since all
  contaminated soil was excavated, site soils are below Table 1 thresholds of the Policy.
  The Site is paved preventing direct contact exposure.

## **Objections to Closure and Responses**

The County objects to UST case closure for this case because:

- No conceptual site model (CSM) has been completed.
   <u>RESPONSE</u>: The Policy does not require that the supporting data and analysis used to develop a CSM be contained in a single report. The information available on GeoTracker provides a CSM which is summarized on Attachment 2 "Summary of Basic Site Information (Conceptual Site Model)".
- No risk assessment has been conducted.
   <u>RESPONSE</u>: A professional assessment of site-specific risk from exposure shows that maximum concentrations of petroleum constituents in soil will have no significant risk of adversely affecting human health. Soil was removed by excavation to a depth of 38 feet and backfilled with imported fill. The Site is paved preventing direct contact exposure. Indoor soil vapor evaluation is not required because the Site is an active commercial petroleum fueling facility.
- Necessary active remediation has not been conducted. (Soil vapor extraction [SVE] is planned).
   RESPONSE: Limited remediation has been conducted. The case meets the Policy
  - criteria. In addition, water quality objectives will be achieved without further active remediation.

#### Determination

Based on the review performed in accordance with Health & Safety Code Section 25299.39.2 subdivision (a), the Fund Manager has determined that closure of the case is appropriate.

**Fund Manager Recommendation for Closure** 

Based on available information, residual petroleum hydrocarbons at the Site do not pose significant risks to human health, safety, or the environment, and the case meets the requirements of the Policy. Accordingly, the Fund Manager recommends that the case be closed. The State Water Board is conducting public notification as required by the Policy. Tulare County has the regulatory responsibility to supervise the abandonment of monitoring wells.

Lisa Babcock, P.G. 3939, C.E.G. 1235

Prepared By: Kirk Larson

# ATTACHMENT 1: COMPLIANCE WITH STATE WATER BOARD POLICIES AND STATE LAW

The case complies with the State Water Resources Control Board policies and state law. Section 25296.10 of the Health and Safety Code requires that sites be cleaned up to protect human health, safety, and the environment. Based on available information, any residual petroleum constituents at the site do not pose significant risk to human health, safety, or the environment.

The case complies with the requirements of the Low-Threat Underground Storage Tank Case Closure Policy as described below.<sup>1</sup>

Is corrective action consistent with Chapter 6.7 of the Health and Safety Code and implementing regulations?  The corrective action provisions contained in Chapter 6.7 of the Health and Safety Code and the implementing regulations govern the entire corrective action process at leaking UST sites. If it is determined, at any stage in the corrective action process, that UST case closure is appropriate, further compliance with corrective action requirements is not necessary. Corrective action at this site has been consistent with Chapter 6.7 of the Health and Safety Code and implementing regulations and, since this case meets applicable case-closure requirements, further corrective action is not necessary, unless the activity is necessary for case closure.	☑ Yes □ No
Have waste discharge requirements or any other orders issued pursuant to Division 7 of the Water Code been issued at this site?	□ Yes 丞 No
If so, was the corrective action performed consistent with any order?	□ Yes □ No 丞 NA
General Criteria General criteria that must be satisfied by all candidate sites:	
Is the unauthorized release located within the service area of a public water system?	☑ Yes □ No
Does the unauthorized release consist only of petroleum?	☑ Yes □ No
Has the unauthorized ("primary") release from the UST system been stopped?	☑ Yes □ No
Has free product been removed to the maximum extent practicable?	□ Yes □ No ℤ NA
Has a conceptual site model that assesses the nature, extent, and mobility of the release been developed?	☑ Yes □ No

<sup>&</sup>lt;sup>1</sup> Refer to the Low-Threat Underground Storage Tank Case Closure Policy for closure criteria for low-threat petroleum UST sites. <a href="http://www.waterboards.ca.gov/board\_decisions/adopted\_orders/resolutions/2012/rs2012\_0016atta.pdf">http://www.waterboards.ca.gov/board\_decisions/adopted\_orders/resolutions/2012/rs2012\_0016atta.pdf</a>

Has secondary source been removed to the extent practicable?	☑ Yes □ No
Has soil or groundwater been tested for MTBE and results reported in accordance with Health and Safety Code Section 25296.15?	☑ Yes □ No
Nuisance as defined by Water Code section 13050 does not exist at the site?	☑ Yes □ No
Are there unique site attributes or site-specific conditions that demonstrably increase the risk associated with residual petroleum constituents?	□ Yes ℤ No
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Candidate sites must satisfy all three of these media-specific criteria:	over the second
1 Groundwater	rischi :
To satisfy the media-specific criteria for groundwater, the contaminant plume that	Ottoro
and meet all of the additional characteristics of one of the five classes of sites:	the ar A I d
Is the contaminant plume that exceeds water quality objectives stable or decreasing in areal extent?	☑ Yes □ No □ NA
Does the contaminant plume that exceeds water quality objectives meet all of the additional characteristics of one of the five classes of sites?	☑ Yes □ No □ NA
If YES, check applicable class: II 1 2 3 4 5	jugle
For sites with releases that have not affected groundwater, do mobile constituents (leachate, vapors, or light non-aqueous phase liquids) contain sufficient mobile constituents to cause groundwater to exceed the groundwater criteria?	□ Yes □ No ☒ NA
O. Detrolous Vance Intercion to Indeed Aire	
The site is considered low-threat for vapor intrusion to indoor air if site-specific conditions satisfy all of the characteristics of one of the three classes of sites (a through c) or if the exception for active commercial fueling facilities applies.	
Is the site an active commercial petroleum fueling facility?  Exception: Satisfaction of the media-specific criteria for petroleum vapor intrusion to indoor air is not required at active commercial petroleum fueling facilities, except in cases where release characteristics can be reasonably believed to pose an unacceptable health risk.	⊠ Yes □ No
a. Do site-specific conditions at the release site satisfy all of the applicable characteristics and criteria of scenarios 1 through 3 or all of the applicable characteristics and criteria of scenario 4?	□Yes □ No ☑ NA
If YES, check applicable scenarios: □ 1 □ 2 □ 3 □ 4	
	Has soil or groundwater been tested for MTBE and results reported in accordance with Health and Safety Code Section 25296.15?  Nulsance as defined by Water Code section 13050 does not exist at the site?  Are there unique site attributes or site-specific conditions that demonstrably increase the risk associated with residual petroleum constituents?  Media-Specific Criteria Candidate sites must satisfy all three of these media-specific criteria:  1. Groundwater: To satisfy the media-specific criteria for groundwater, the contaminant plume that exceeds water quality objectives must be stable or decreasing in areal extent, and meet all of the additional characteristics of one of the five classes of sites:  Is the contaminant plume that exceeds water quality objectives stable or decreasing in areal extent?  Does the contaminant plume that exceeds water quality objectives meet all of the additional characteristics of one of the five classes of sites?  If YES, check applicable class:   1

	b.	Has a site-specific risk assessment for the vapor intrusion pathway been conducted and demonstrates that human health is protected to the satisfaction of the regulatory agency?	□ Yes □ No ℤ NA
oM	c.	As a result of controlling exposure through the use of mitigation measures or through the use of institutional or engineering controls, has the regulatory agency determined that petroleum vapors migrating from soil or groundwater will have no significant risk of adversely affecting human health?	□ Yes □ No ℤ NA
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	3.	Direct Contact and Outdoor Air Exposure:	-tonurismos
	site	e site is considered low-threat for direct contact and outdoor air exposure if e-specific conditions satisfy one of the three classes of sites (a through c).	foog8-etaM
	a.	Are maximum concentrations of petroleum constituents in soil less than or equal to those listed in Table 1 for the specified depth below ground surface (bgs)?	☑ Yes □ No □ NA
	b.	Are maximum concentrations of petroleum constituents in soil less than levels that a site specific risk assessment demonstrates will have no significant risk of adversely affecting human health?	□ Yes □ No ℤ NA
	C.	As a result of controlling exposure through the use of mitigation measures or through the use of institutional or engineering controls, has the regulatory agency determined that the concentrations of petroleum constituents in soil will have no significant risk of adversely affecting human health?	□ Yes □ No ℤ NA

## ATTACHMENT 2: SUMMARY OF BASIC SITE INFORMATION (Conceptual Site Model)

## Site Location/History

- The Site is located at 1076 East Rankin Avenue in Tulare and is an active retail gasoline station, car wash and mini market.
- The Site is bounded by an empty lot to the north, southbound entrance to State Freeway 99 to the east, South K Street to the west and East Rankin to the south. The surrounding land use is commercial and agricultural.
- Four monitoring wells have been installed and monitored regularly for approximately 15 years.
- A Site map showing the location of the current storage tanks, monitoring wells, and groundwater level contours is provided at the end of this closure summary.
- Nature of Contaminants of Concern: Petroleum hydrocarbons only.
- Source: UST system.
- Date reported: December 1993.
- Status of Release: USTs replaced.
- Free Product: None reported.

#### Tank Information

Tank No.	Size in Gallons	Contents	Closed in Place/ Removed/Active	Date
1,2	10,000	Gasoline	Removed	May 93
3	7,500	Gasoline	Removed	May 93
4,5	Unknown	Gasoline	Active	

#### Receptors

- GW Basin: San Joaquin Valley Kaweah.
- Beneficial Uses: Municipal and domestic water supply.
- Land Use Designation: Commercial, industrial and public use.
- Public Water System: City of Tulare, Public Works Department, Water Division, 3981 South K Street, Tulare, CA 93274, (559-9684-4320).
- Distance to Nearest Supply Well: According to data available in GeoTracker, there are no California Department of Public Health (CDPH) regulated Public Supply Wells 250 feet of the defined plume boundary. No other supply wells within 250 feet of the defined plume boundary were identified in files reviewed.
- Distance to Nearest Surface Water: No surface water identified within 250 feet of the defined plume boundary.

#### Geology/Hydrogeology

- Stratigraphy: The Site is underlain by interbedded and intermixed sand, silt and clay.
- Maximum Sample Depth: 65 feet below ground surface (bgs).
- Minimum Groundwater Depth: 44.76 feet bgs at monitoring well MW-4.
- Maximum Groundwater Depth: 76.87 feet bgs at monitoring well MW-2.
- Current Average Depth to Groundwater: Approximately 57 feet bgs.
- Saturated Zones(s) Studied: 44 to 90 feet bgs.
- Groundwater Flow Direction: West northwest at approximately 0.003 feet/foot (July 2012).

**Monitoring Well Information** 

Well Designation	Date Installed	Screen Interval (feet bgs)	Depth to Water (feet bgs) (07/26/12)	
MW-1	Sep 96	60-90	57.61	
MW-2	Sep 96	50-80	57.55	
MW-3	Sep 96	50-80	57.09	
MVV-4	Oct 97	50-80	56.95	

## **Remediation Summary**

- Free Product: No free product was reported in GeoTracker.
- Soil Excavation: Excavation conducted to a total depth of 38 feet in 1993 (VIER, 2011).
- In-Situ Soil/Groundwater Remediation: Dual phase extraction pilot test was conducted in October 2007, which removed approximately 407 pounds of TPHg. In October 2007, the rate of removal was 3.5 pounds of TPHg per day. Soil vapor extraction system was installed on Site in 2012 and not yet operated.

**Most Recent Concentrations of Petroleum Constituents in Soil** 

Constituent	Maximum 0-5 ft. bgs. (mg/kg/Date)	Maximum 5-10 ft. bgs (mg/kg/Date)	
Benzene	NA	NA	
Ethylbenzene	NA	NA	
Naphthalene	NA	NA	
PAHs	NA	NA	

NA: Not Analyzed, Not Applicable or Data Not Available mg/kg: milligrams per kilogram, parts per million <: Not detected at or above stated reporting limit PAHs: Polycyclic aromatic hydrocarbons

Most Recent Concentrations of Petroleum Constituents in Groundwater

Sample	Sample Date	TPHg (µg/L)	TPHd (µg/L)	Benzene (µg/L)	Toluene (µg/L)	Ethyl- Benzene (µg/L)	Xylenes (μg/L)	MTBE (µg/L)	TBA (µg/L)
MW-1	07/26/2012	<50	NA	<0.5	<0.5	<0.5	<0.5	<0.5	NA
MW-2	07/26/2012	53	NA	<0.5	<0.5	<0.5	<0.5	< 0.5	NA
MW-3	07/26/2012	320	NA	12	12	1.7	37	18	NA
MW-4	07/26/2012	<50	NA	<0.5	<0.5	<0.5	0.5	<0.5	NA
WQOs	-	5	56	0.15	42	29	17	5	1,200ª

NA: Not Analyzed, Not Applicable or Data Not Available

µg/L: micrograms per liter, parts per billion
<: Not detected at or above stated reporting limit
TPHg: Total petroleum hydrocarbons as gasoline
TPHd: Total petroleum hydrocarbons as diesel

MTBE: Methyl tert-butyl ether TBA: Tert-butyl alcohol

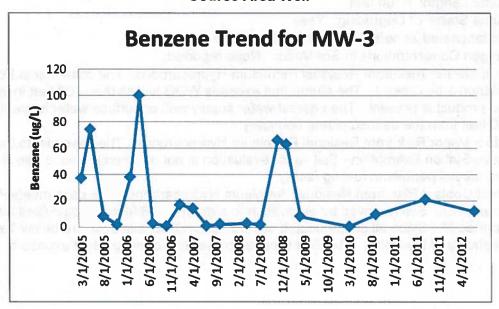
WQOs: Water Quality Objectives, Region 5 Basin Plan

a: California Department of Public Health, Response Level

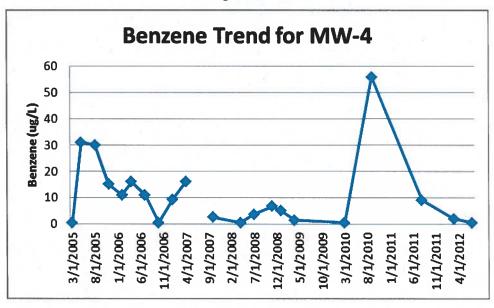
### **Groundwater Trends:**

 This Site has been monitored regularly since 1996. Benzene trends are shown below: Source area (MW-3) and Downgradient (MW-4).

Source Area Well



**Downgradient Well** 



## **Evaluation of Current Risks**

- Estimate of Hydrocarbon Mass in Soil: 391 pounds of TPHg dissolved in groundwater and 17,160 pounds TPHg in site soils (VIER, 2011).
- Soil/Groundwater Tested for MTBE: Yes, see table above.
- Plume Length: <100 feet.
- Plume Stable or Degrading: Yes.
- Contaminated Zone(s) Used for Drinking Water: No.
- Oxygen Concentrations in Soil Vapor: None reported.
- Groundwater Risk from Residual Petroleum Hydrocarbons: The case meets Policy Criterion 1 by Class 1. The plume that exceeds WQO is less than 100 feet in length. No free product is present. The nearest water supply well or surface water is greater than 250 feet from the defined plume boundary.
- Indoor Vapor Risk from Residual Petroleum Hydrocarbons: The case meets the Policy Active Station Exemption - Soil vapor evaluation is not required because Site is an active commercial petroleum fueling facility.
- Direct Contact Risk from Residual Petroleum Hydrocarbons: The case meets Policy Criterion 3a. Soil removed by excavation to a depth of 38 feet and backfilled with imported fill. Since all contaminated soil was excavated, site soils are below Table 1 thresholds of the Policy. The Site is paved preventing direct contact exposure.

