

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

ORDER WQ 2018-0020 – 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 CHIEF DEPUTY DIRECTOR:¹

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.² By this order, the Chief Deputy Director directs closure of the UST case. The name of the Fund claimant, the Fund claim number, the site name and the applicable site address, and the lead agency are as follows:

Mohammed Faruk
Claim No. 15287
Full Stop Minimart
3200 Rio Linda Boulevard, Rio Linda

Sacramento County Environment Management Division (County)
Agency Case Number: F544

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

¹ 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. Pursuant to Resolution No. 2012-0061, the Executive Director has delegated this authority to the Chief Deputy Director.

² Unless otherwise noted, all references are to the Health and Safety Code.

Water Board Executive Director, or Chief Deputy Director, may close 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: 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 (Policy) are explained in the Case Closure Review Summary Report.

In State Water Board Resolution No. 2012-0016, the State Water Board adopted the 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 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 be issued only 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 for 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 and 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. 15287
Full Stop Minimart

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 Policy, and other applicable water quality control policies and plans.

The unauthorized release from the UST consisted only of petroleum. This order directs closure for the petroleum UST case at the site.³

Pursuant to the 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.

Pursuant to section 21080.5 of the Public Resources Code, environmental impacts associated with the adoption of this Order were analyzed in the substitute environmental document (SED) the State Water Board approved on May 1, 2012. The SED concludes that all environmental effects of adopting and implementing the Policy are less than significant, and environmental impacts as a result of complying with the Policy are no different from the impacts that are reasonably foreseen as a result of the Policy itself. A Notice of Decision was filed August 17, 2012. No new environmental impacts or any additional reasonably foreseeable impacts beyond those that were not addressed in the SED will result from adopting this Order.

The UST case identified above may be the subject of orders issued by the Regional Water Quality Control 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.

³ This order addresses only the petroleum UST case for the site. This order does not affect any order or directive requiring corrective action for non-petroleum contamination, if non-petroleum contamination is present.

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 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 on page 1 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, subdivisions (a) and (b). Pursuant to section 25299.57, subdivision (l) (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.



Chief Deputy Director

8/24/2018

Date

State Water Resources Control Board

REVIEW SUMMARY REPORT – CLOSURE
SEVENTH REVIEW – APRIL 2018

Case Information

Cleanup Fund (Fund) Claim No. 15287	GeoTracker Global ID: T0606701131
Site Name: Full Stop Minimart	Site Address: 3200 Rio Linda Boulevard Rio Linda, CA 95673
Responsible Party (RP): Mohammed Faruk c/o Sierra West Consultants Attn: Jeffrey Bensch	Address (RP): 4227 Sunrise Boulevard, Suite 220 Fair Oaks, CA 95628
Claimant: Same as RP	Address (Claimant): Same as RP
Fund Expenditures to Date: \$1,197,780	Number of Years Case Open: 18
Fund Budget Category: VM – Verification Monitoring	

Agency Information

Agency Name: Sacramento County Environmental Management Division (County)	Address: 10590 Armstrong Avenue Suite A Mather, CA 95655
Agency Caseworker: Charley Langer	Case No.: F544

Consultant History

Consultant: Sierra West Consultants Signatory: Jeffery C. Bensch, PE	Years: 2015-Present Office Phone: (916) 863-3220
Consultant: Ramage Environmental Signatory: Joseph Ramage, PG	Years: 2001-2015 Office Phone: (775) 851-7239

This Review Summary Report is based on documents available in GeoTracker. To view all public documents for this case available on GeoTracker use the following URL:
http://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T0606701131

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. Highlights of the case follow:

This case is an active commercial petroleum fueling facility. An unauthorized release was reported in January 2000 following the removal of five gasoline USTs and the excavation of an unknown volume of impacted soil in December 1999. Approximately 3,390 gallons of free product and groundwater mixture were reportedly removed between July 2002 and October 2007 by auto skimmers and vacuum truck. Soil vapor extraction and air sparging were conducted between April 2009 and January 2017, and reportedly removed approximately 45,871 pounds of total petroleum hydrocarbons as gasoline (TPHg). The removal rate was reported as 4.5 pounds of TPHg per day prior to shut down. Since 2001, 13 groundwater

monitoring wells have been installed and monitored. Except for petroleum contaminants in groundwater monitoring well MW-4, water quality objectives have been achieved or nearly achieved for all constituents.

The petroleum release is limited to the soil and shallow groundwater. The affected shallow groundwater is not currently being used as a source of drinking water, and it is highly unlikely that the affected shallow groundwater will be used as a source of drinking water in the foreseeable future. Remaining petroleum hydrocarbons are limited and stable and concentrations are decreasing. Corrective actions have been implemented and additional corrective actions are not necessary. Remaining petroleum hydrocarbons do not pose a significant threat to human health, safety, or the environment under current conditions.

Rationale for Closure under the Policy

General Criteria:

- **Site meets all eight General Criteria** under the policy. Since 2015, petroleum contaminant concentrations in onsite groundwater monitoring wells MW-1, MW-2, MW-3R, and offsite wells MW-4 and MW-7 have contained stable to decreasing concentrations. Since 2014, petroleum contaminants have not been detected in offsite cross-gradient wells MW-6 and MW-8 or in offsite down-gradient wells MW-5 and MW-9 through MW-12. Therefore, the nature, extent, and mobility of the release has been established.

Media-Specific Criteria

- **Groundwater:** Site meets the criteria in **Class 5**. The nearest existing water supply well (Sacramento Well 143) is located cross-gradient to the south-southwest and greater than 800 feet from the defined plume boundary. The nearest existing surface water body is Arcade Creek which is greater than 175 feet up-gradient from the defined plume boundary. Depth to water in the vicinity of the Site is approximately 60 feet below ground surface (bgs). Therefore, affected groundwater down-gradient of the Site poses a low threat to the creek. The down-gradient contaminant plume that exceeds water quality objectives is less than 500 feet in length. There is no free product. The dissolved concentration of benzene is less than 100 micrograms per liter ($\mu\text{g/l}$) and the dissolved concentration of methyl tertiary butyl ether is less than 100 $\mu\text{g/l}$. Based on an analysis of site specific conditions that under current and reasonably anticipated near-term future scenarios, the contaminant plume poses a low threat to human health and safety and to the environment and water quality objectives will be reached within a reasonable time frame.
- **Vapor Intrusion to Indoor Air:** Onsite, Site meets the **Exception** for vapor intrusion to indoor air. Exposure to petroleum vapors associated with historical fuel system releases are comparatively insignificant relative to exposures from small surface spills and fugitive vapor releases that typically occur at active fueling facilities. Offsite, Site meets **Criteria 2 (a), Scenario 3**. The minimum vertical separation between the building foundation and the contaminant plume, oxygen concentrations in soil gas, concentrations of total petroleum hydrocarbons as gasoline and diesel combined in soil, and dissolved concentrations of benzene in groundwater meet the Policy.
- **Direct Contact and Outdoor Air Exposure:** Site meets **Criteria 3 (b)**. Maximum concentrations of benzene and ethylbenzene in soil are less than or equal to those listed in Table 1 for the specified depths at commercial/industrial sites. There are no soil sample results in the case record for naphthalene; however, groundwater data from source area wells MW-2 and MW-3R have indicated no detectable naphthalene concentrations since 2015. Therefore, residual naphthalene concentrations in soil, if any, have not affected the

April 2018

groundwater. Maximum concentrations of petroleum constituents in soil are less than levels that a site-specific risk assessment through the Policy demonstrates will have no significant risk of adversely affecting human health.

**Determination
(25299.39.2 with permission)**

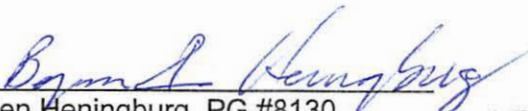
Based on the review performed in accordance with Health & Safety Code Section 25299.39.2 subdivision (a), the Fund Manager has determined that closure of the case is appropriate.

Recommendation for Closure

Based on available information, residual petroleum hydrocarbons at the Site do not pose a significant risk 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 staff will conduct public notification as required by the Policy.

Please contact Ben Heningburg at (916) 449-5605 if you have any questions regarding this matter.

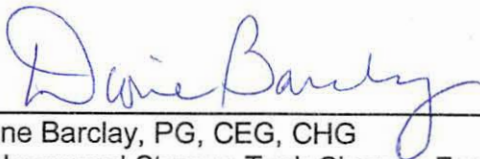
Sincerely,



Ben Heningburg, PG #8130
Supervising Engineering Geologist
Chief, Technical Section I



4/2/18
Date



Diane Barclay, PG, CEG, CHG
Underground Storage Tank Cleanup Fund Manager
Assistant Deputy Director, Division of Financial Assistance

4/6/18
Date