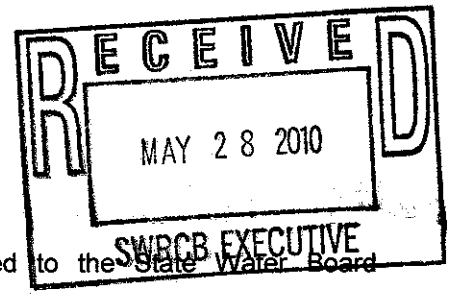
6/15/10 Board Meeting
2010 Integrated Report 303(d)
Deadline: 5/28/10 by 12 noon

ALAMEDA COUNTY
HEALTH CARE SERVICES
AGENCY
ALEX BRISCOE, Agency Director

ENVIRONMENTAL HEALTH SERVICES
ENVIRONMENTAL PROTECTION
1131 Harbor Bay Parkway, Suite 250
Alameda, CA 94502-6577
(510) 567-6700
FAX (510) 337-9335

May 26, 2010



Ms. Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor, 95814
P.O. Box 100
Sacramento, CA 95812-0100
(sent via email to commentletters@waterboards.ca.gov and uploaded to the State Water Board Geotracker website)

Subject: UST Case Closure, Petition of New Performance, 186 East Lewelling Boulevard, San Lorenzo, CA 94580, Fuel Leak Case No. RO0000013 and Geotracker Global ID T0600100961 – ACEH Response to Case Closure Proposed by State Water Board

To State Water Resources Control Board:

This correspondence presents the Alameda County Environmental Health (ACEH) response to the May 11, 2010, *Petition of New Performance for Review of Denial of Underground Storage Tank Case Closure, 186 East Lewelling Boulevard, San Lorenzo and the attached Draft Case Closure Summary.* The May 11, 2010 correspondence indicates that the State Water Resource Control Board (State Water Board) will consider closure of the fuel leak case at a future board meeting.

We do not agree with closure of the New Performance fuel leak case at this time. We believe that State Water Board staff have not adequately considered potential health risks to future site occupants, possible effects on water supply wells at neighboring properties, and future groundwater use in this area. Many of the items identified in our July 15, 2009 Response to Petition remain valid. However, we have not repeated those items in order to keep this correspondence brief. Instead, we have focused on the four specific issues discussed below.

Product Piping and Residual Contamination Remaining in Place

The Draft Case Closure Summary indicates it is extremely unlikely that old product piping left at the site contains residual product because the piping is assumed to slope towards the tanks and would have drained when detached from the tank. ACEH agrees that free product is not likely to be present at the site. However, the response in the Draft Closure Summary does not address the fact that underground product piping (two runs between the former USTs and the former dispenser island and a vent line towards the existing building) remains in place without characterization and should be removed in conformance with standard tank removal protocols. Closing a site with product piping in place and without investigating residual contamination along the piping trench is a poor precedent to set.

The Draft Closure Summary concludes that the site poses a low risk to public health, safety, and the environment. As regulators, it is incumbent upon us to evaluate obvious potential sources of contamination such as product piping, piping trenches, and tank pits prior to making such a conclusion. The product piping remains in place and no data have been collected along the piping trench.

The site is currently a commercial property but is immediately adjacent to two residential properties and could become a residential property in the future. The need for land use restrictions is not addressed in the Draft Case Closure Summary. Given the absence of characterization data in areas of the site including the product piping trenches and UST tank pit, this site should not be considered for unrestricted future land use. Closing this case as proposed effectively transfers the potential risks and liability from residual contamination to future site occupants, owners, or residents. Further, it transfers the risk without clearly articulated site management requirements that would inform future site occupants, owners, or residents of potential risks.

Water Supply Wells in the Area of the Site

In our July 15, 2009 Response to the Petition, ACEH indicated that a closer evaluation of well usage in the area may be appropriate. Specifically, a door to door well survey is necessary to determine whether water supply wells for which there are no documentation may exist near the site. Available well records indicate that within a one-mile radius of the site, 19 irrigation, 4 domestic, and 1 public wells are reported to be present. The nearest documented well is an irrigation well at San Lorenzo High school approximately 1,100 feet northwest of the site. However, other older wells for which there are no available records may exist in the immediate area of the site. Prior to 1950, this area was rural and outside city limits. It is likely that residences obtained their water supply from wells prior to the area being served by a water utility company. A report on historic water supply in the East Bay shows wells located along Lewelling Avenue in the area of the site in 1910 (Figuers, 1998). The older wells may not have documentation and may not be identified by the well survey for the site, which is based on the State of California Department of Water Resources and Alameda County Department of Public Works data bases. The large change in groundwater and contaminant flow directions previously documented at the site may indicate the effects of wells in the area of the site.

Current and Future Use of Groundwater

The Draft Case Closure Summary dismisses current and future groundwater use in the area of the site without consideration concluding that, "Shallow groundwater is not used as a source of drinking water or for any other designated beneficial use nor is it likely to be beneficially used in the future." Based on the known and potentially unidentified water supply wells in the area of the site, it is not clear that current groundwater use can be dismissed so readily. We do not believe that future groundwater use should also be dismissed so readily. An example of the use of aquifers in this region is the Bayside Groundwater Project, the first Phase of which will store an annual average of 1 million gallons a day in a deep aquifer beneath San Lorenzo. We do not believe that the New Performance fuel leak site will impact the Bayside Groundwater Project as currently planned but the Bayside Groundwater Project is an example of potential future groundwater uses that should at least be considered by the State Water Board.

Irrigation Wells at San Lorenzo High School

The Draft Case Closure Summary states, "Downward migration of petroleum hydrocarbons is minimal." Since no data have been collected to evaluate the vertical extent of contamination, this statement appears to be an assumption. The Draft Case Closure Summary goes on to state, "it is unlikely that the shallow groundwater plume is hydraulically connected to the irrigation well at San Lorenzo High School," and indicates that the presence of a 200-foot sanitary seal in the irrigation well would preclude any shallow groundwater from impacting the well. A closer review of the well records indicates that these assumptions are not necessarily well founded.

Further review of well records indicates that the current irrigation well at San Lorenzo High School, which was installed by Weeks Drilling & Pump in August 1991 and extends to a depth of 610 feet, replaced an older irrigation well that was decommissioned at a location adjacent to the current irrigation well. A Water Well Drillers Report indicates that the older irrigation well was installed in 1951 and was 616 feet deep. The Water Well Drillers Report indicates that a sanitary seal was used but no information on the sanitary seal is provided. The older irrigation well was destroyed in 1991 by installing gravel from 600 to 225 feet, neat cement from 225 to 185 feet, gravel from 185 to 25 feet, and sand grout from 25 feet to the surface and knife perforating from 5 to 25 feet and 200 to 220 feet. Based on these details of the well destruction, the older irrigation well has the potential to be a vertical conduit for downward migration of shallow groundwater contamination to a depth of at least 185 feet. Pumping of the current irrigation well likely creates a downward gradient in the area of the both wells that could cause shallow contaminated groundwater to move vertically downward through the older decommissioned well or along the well annulus to the lower portion of the aquifer. The older irrigation well is not mentioned in the Draft Case Closure Summary.

Conclusion

This case should not be closed without addressing the issues discussed above. ACEH requests that the Petition be denied and that regulatory oversight of the case by ACEH continue.

References

Figuers, S., 1998, "Groundwater Study and Water Supply History of the East Bay Plain, Alameda and Contra Costa Counties, CA," Prepared for the Friends of the San Francisco Estuary, 120 pp.

If you have any questions regarding this case, please call Jerry Wickham at (510) 567-6791 or Donna Drogos at (510) 567-6721.

Sincerely,

Jerry Wickham, California PG 3766, CEG 1177, and CHG 297
Senior Hazardous Materials Specialist

Donna L. Drogos, PE
Division Chief

cc: Carl J. and Donna P. Graffenstatte, Graffenstatte Corporation, P.O. Box 1295, Eatonville, WA 98328

Sue Pawley, C/o Carl Graffenstatte, Graffenstatte Corporation, P.O. Box 1295, Eatonville, WA 98328

Wai Yee Young, 4230 Harbor View Avenue, Oakland, CA 94619

Katherine Dungca, Property Manager, AvioRealco, LLC, 27675 Vista Bahia Way, Hayward, CA 94542

Kevin Graves, SWRCB, UST Cleanup Unit, P.O. Box 223, Sacramento, CA 95812
(*Sent via E-mail to: bwright@waterboards.ca.gov*)

Ben Wright, SWRCB, UST Cleanup Unit, P.O. Box 223, Sacramento, CA 95812
(*Sent via E-mail to: kgraves@waterboards.ca.gov*)

Chuck Headlee, San Francisco Bay RWQCB, 1515 Clay Street, Suite 1400, Oakland, CA 94512
(*Sent via E-mail to: CHeadlee@waterboards.ca.gov*)

Mary Rose Cassa, San Francisco Bay RWQCB, 1515 Clay Street, Oakland, CA 94612
(*Sent via E-mail to: MCassa@waterboards.ca.gov*)

Donna Drogos, ACEH (*Sent via E-mail to: donna.drogos@acgov.org*)
Jerry Wickham, ACEH (*Sent via E-mail to: jerry.wickham@acgov.org*)

Geotracker, File