State Water Resources Control Board

Division of Financial Assistance
1001 I Street • Sacramento, California 95814
P.O. Box 944212 • Sacramento, California • 94244-2120
(800) 813-FUND (3863) ♦ FAX (916) 341-5806♦ www.waterboards.ca.gov/water_issues/programs/ustcf/

Linda S. Adams
Secretary for
Environmental Protection

Arnold Schwarzenegger
Governor

December 7, 2009

Estate of Hershel A. McGuire
C/O: Mr. Phillip H. Kelly, Esq.
Attn: Maise McCarty
90 South E Street, Suite 300
Santo Rosa, CA 95404

NOTIFICATION OF PUBLIC HEARING

UNDERGROUND STORAGE TANK (UST) CLEANUP FUND (FUND), MEETING NOTIFICATION FOR CASE CLOSURE RECOMMENDATION, PURSUANT TO HEALTH AND SAFETY CODE SECTION 25299.39.2: CLAIM NUMBER: 2545; SITE ADDRESS: 336 WEST COLLEGE AVENUE, SANTA ROSA

By this letter, as Fund Manager, I am informing you of the Fund's intent to recommend closure of your UST site cleanup case to the State Water Resources Control Board (State Water Board) at its January 19, 2010, Board meeting.

In the interim, any reasonable, necessary, and eligible costs that you incur and submit in a properly documented reimbursement request will continue to be reimbursed by the Fund, as monies are available.

Meeting Notice

The State Water Board is planning to consider closing your UST case at its meeting that will be held on January 19, 2010 commencing at 9:00 AM in the Coastal Hearing Room, Second Floor of the Cal/EPA Building, 1001 I Street, Sacramento, California.
Under separate cover at a later date, you will receive an agenda for this meeting.

Legal Authority

Health & Safety Code Section 25299.39.2(a) requires that the Fund Manager notify UST owners or operators who have a Letter of Commitment (LOC) that has been in active status for five or more years and to review the case history of these sites on an annual basis unless otherwise notified by the UST owner or operator. In addition, the H&SC section further states that the Fund Manager, with approval of the UST owner or operator, may recommend regulatory case closure to the State Water Board. This process is called the "5-Year Review." The State Water Board may close or require the closure of a UST case that is under the jurisdiction of a regional water quality control board (regional water board) or a local agency participating in the State Water Board's local oversight program.

Discussion

Having obtained your approval and pursuant to Health and Safety Code Section 25299.39.2(a) to recommend closure of your UST case to the State Water Board, enclosed is a copy of the UST Case Closure Summary for your UST case. The case closure summary contains information about your UST case and forms the basis for UST Cleanup Fund manager's recommendation to the State Water Board for UST case closure. A copy of the Case Closure Summary is also being provided to your environmental consultant and the regional water board that has been overseeing corrective action at your site. Other interested persons may obtain a copy of the Case Closure Summary by contacting Ms. Dennise Walker, at (916) 341-5789.

Comments

At the meeting, interested persons will be allowed to comment orally on the case closure recommendation (including the case closure summary), subject to the following time limits. The UST Cleanup Fund claimant and the regional water board overseeing corrective action at the site will be allowed five minutes for oral comment, with additional time for questions by the State Water Board members. Other interested persons will be allotted a lesser amount of time to address the State Water Board. At the meeting, the State Water Board may grant UST case closure, deny case closure, or may continue consideration until a later meeting.

Written comments on the case closure summary must be received by the State Water Board by 12:00 p.m. on December 31, 2009. Please provide the following information in the subject line: January 19, 2010 Board Meeting, UST Case Closure, and applicable site address and UST Cleanup Fund claim number. Comments must be addressed to:

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
(tel) 916-341-5600
(fax) 916-341-5620
(email) commentletters@waterboards.ca.gov

If you have any questions regarding this matter, please contact Mr. Robert Trommer at (916) 341-5684.

Sincerely,

Ronald M. Duff, P.E., Fund Manager
Underground Storage Tank Cleanup Fund

Enclosure

cc: see next page

cc: Mr. Richard Ely, P.G., Ed Clark & Associates, Rohnert Park
Ms. Catherine Kuhlman, Executive Officer, RWQCB, Santa Rosa
Mr. Dave Evans, UST Program Manager, RWQCB, Santa Rosa
Mr. Joan Fleck, UST Case Manager, RWQCB, Santa Rosa
Mr. Frank A. Faraudo, Trustee, Santa Rosa
Mr. Charles D. Bailey, Trustee, Santa Rosa
Mr. & Mrs. Stephen & Lucymarie Doleshall, Santa Rosa
Community First Credit Union, Inc.,

State Water Resources Control Board

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Draft
UST Case Closure Summary

This underground storage tank (UST) Case Closure Summary has been prepared in support of a recommendation by the Petroleum Underground Storage Tank Cleanup Fund (Fund) to the State Water Resources Control Board (State Water Board) for closure of the UST case at 336 West College Avenue, Santa Rosa, CA (Site). All record owners of fee title for this site as well as adjacent property owners and other interested parties, as appropriate, have been notified of the recommendation for closure and were given an opportunity to provide comments.

Agency Information

Agency Name: North Coast Regional Water Quality Control Board (Water Board)	Address: 5550 Skylane Boulevard, Suite A Santa Rosa, CA 95403
Responsible Staff Person: Joan Fleck	Title: Engineering Geologist

Case Information

RWQCB Case No: 1TSR206	Global ID: T0609700681
Site Name: McGuire Building	Site Address: 336 West College Avenue Santa Rosa, Ca 95401
Responsible Party: Estate of Hershel A. McGuire (c/o Phillip H. Kelly, Esq)	USTCF Expenditures to Date: $ 274,791
USTCF Claim No.: 2545	Number of Years Open: 17

Tank Information

Tank No.	Size in Gallons	Contents	Closed in Place/ Removed/Active?	Date
1	500 to 1,000	Gasoline	Removed	December 31, 1991
2	500	Gasoline	Removed	December 31, 1991

Release Information

- Source of Release: UST system.
- Date of Release: The reported date of the release is 4 February 1991.
- Affected Media: Soil and groundwater.

Site Information

- GW Basin: North Coast basin: Russian River Hydrologic Unit
- Beneficial Uses: municipal and domestic water supply (MUN), agricultural supply (AGR), industrial service supply (IND), and industrial process supply (PRO)
- Current Land Use: Commercial
- Distance to Nearest Supply Well: According to GeoTracker, there is one public supply well within ½ mile. The well is 1,944 feet from the site and is listed as inactive raw.
- Minimum Groundwater Depth: 6.01 feet below ground surface (bgs) at monitoring well MW-6.
- Maximum Groundwater Depth: 10.02 feet bgs at monitoring well MW-4.
- Flow Direction: North to Northwest

- Soil Types: Clay from near the surface to about four feet bgs; silty, sandy gravel from about four feet to eight feet bgs; clay from about eight to 14 feet bgs; and clayey gravel from about 14 to 20 feet bgs (Edd Clark & Associates, Inc. (EC&A), CAP Workplan, April 2000)

Monitoring Well Information

Well Designation	Date Installed	Screen Interval feet below ground surface (bgs)	Most Recent Depth to water DTW (10/7/08)
MW-1	October 1994	5 – 10	Destroyed April 1996
MW-2	October 1994	5 – 10	Destroyed September 2005
MW-3	October 1994	5 – 10	Destroyed September 2005
MW-4	August 1997	5 – 20	10.04
MW-5	February 2001	5 – 20	8.97
MW-6	February 2001	5 – 20	9.82
AS-4	NA	20 - 25	9.19

Contaminant Concentration

Contaminant	Soil (mg/kg)		Water (ug/L*)	
	Maximum	Latest (9/20/07)	Maximum	Latest (9/24/09)
TPH-g	3,000	68	9,800	<50
Benzene	1.8	0.22	1,700	<0.5
Toluene	6.7	0.31	100	<0.5
Ethylbenzene	41	0.38	420	<0.5
Total Xylenes	210	0.20	250	<0.5
MTBE	0.88	NA	150	NA
Total Lead	11	NA	0.035	NA

NA: Not Analyzed, Not Applicable or Data Not Available
* - ug/L = micrograms per liter or parts per billion (ppb)

Site Description: Former service station, currently a commercial office building.

Site History: In the late 1960's, one 500 gallon UST was installed on the 312 West College Avenue Site. In 1982, Mr. McGuire purchased the adjoining property at 336 West College Avenue which also had an existing 500-gallon tank. In 1991, the USTs were removed, the excavated area was backfilled, and the surface was asphalted. In 1994, the first site assessment was performed. In 1996, the area where the UST had been located was excavated to a depth of approximately 14.5 feet bgs. Approximately 225 cubic yards of impacted soil was disposed off-site. In 1997, an additional site assessment was performed which included a second over excavation and approximately 290 yards of soils was removed. In 2001, a bio-sparge system was installed. In 2007, additional air sparge wells were installed.

In May 2008, nutrients were injected into the subsurface. The attached figure presents a site map, boring locations, groundwater elevation contours and groundwater flow direction.

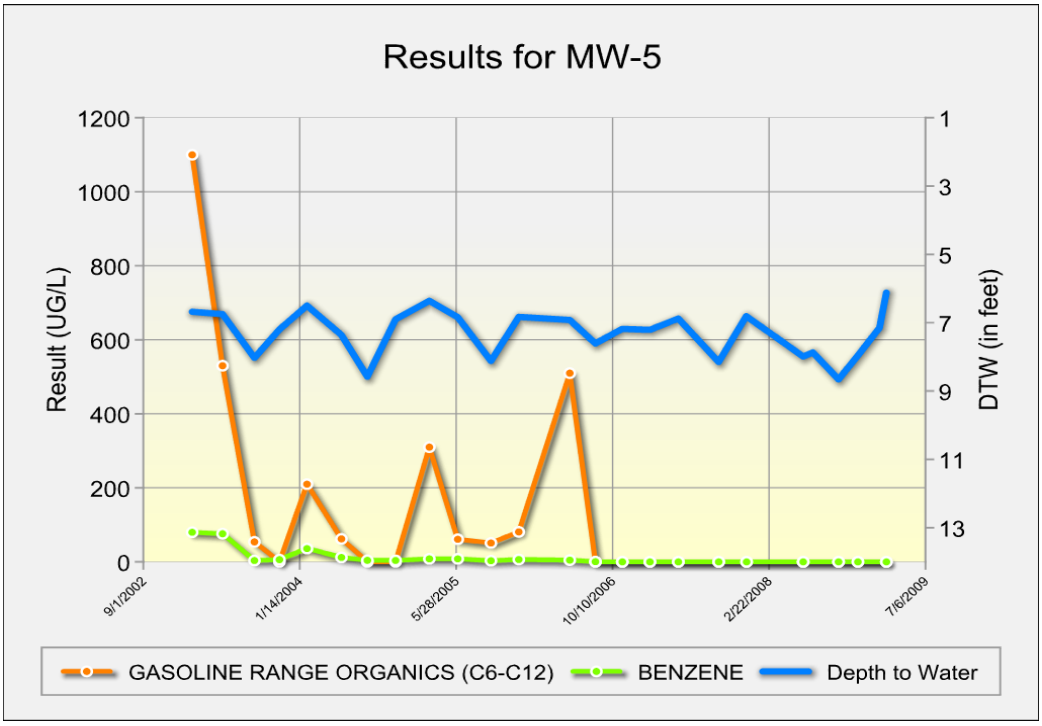
Remediation Summary

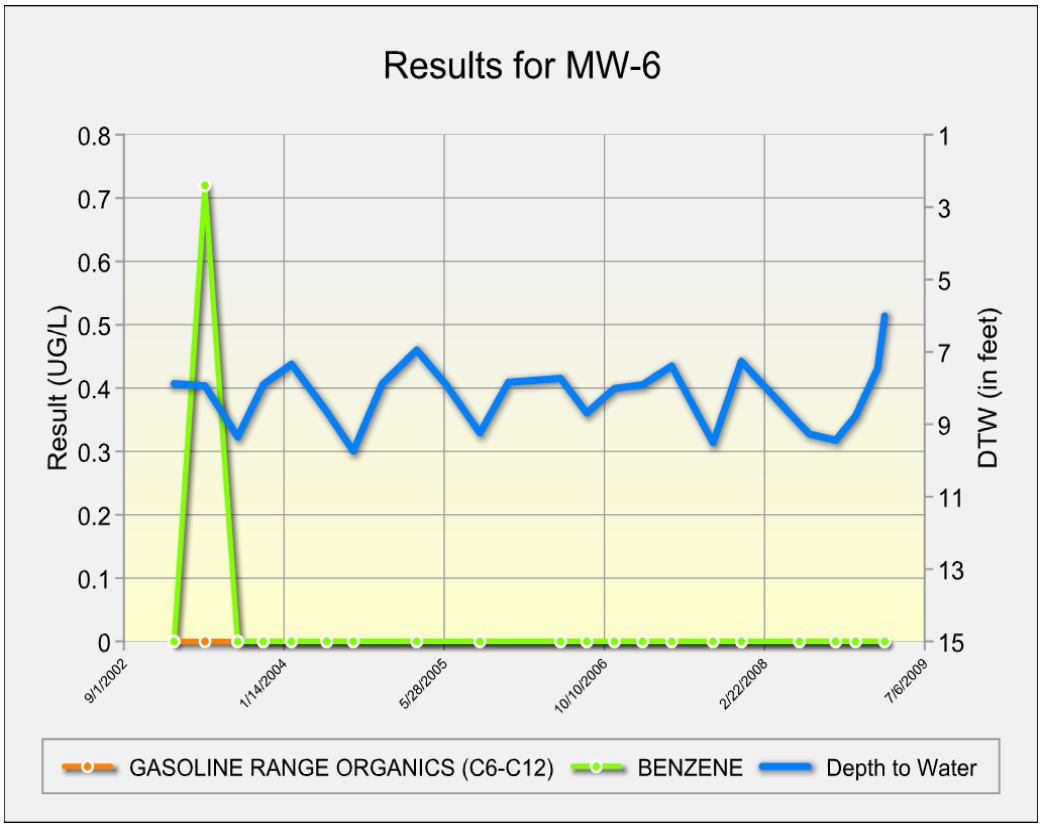
- **Free Product:** No free product was documented throughout the life of this project.
- **Soil Excavation:** There have been two excavations of impacted soil which resulted in approximately 515 cubic yards of impacted soil has been excavated, transported and disposed off-site.

- **In-Situ Soil Remediation**: A bio-sparge system has operated since 2006. In 2007 an oxidant was applied to the substrate using the bio-sparge system.
- **Groundwater Remediation:**
  - As reported by EC&A in 1996 *Over-excavation Report* approximately 6,400 gallons of groundwater was pumped from the UST excavation and disposed off-site.
  - Calculations indicate that approximately 1.3 pounds of petroleum hydrocarbons were removed by the combined bio-sparge system and the biologically enhanced system.

General Site Conditions:

- Hydrogeology: Historically, groundwater flow direction has been generally southerly. Depth to groundwater varies seasonally in the range of 5 to 10 feet bgs.
- Geology: The subsurface soils underlying the site, based on boring and well logs is composed largely of moderate to high permeability formations of silty sands, with some clay and silt.
- Groundwater Trends: The concentrations of benzene and TPG-g in wells MW-5 and MW-6 (presented below) demonstrate that remediation efforts have been successful in achieving detection level limits.





- Estimate of Remaining Mass: The mass of petroleum hydrocarbons remaining in the soil and groundwater does not create or threaten to create risk to human health and safety, or to future beneficial use(s) of the groundwater.

- Time to Meet Water Quality Objectives: Water quality objectives have been met.

Sensitive Receptor Survey
EC&A reported (October 2007) on a well survey conducted by VHC in 1995. No wells were identified within 500 feet of the subject Site. EC&A conducted a sensitive receptor survey in 2000 and found one inactive and two active water supply wells within 750 feet from the Site. These wells are not shown in GeoTracker. Additionally, the Site and the area are serviced by the Santa Rosa municipal water system. According to the USGS Santa Rosa Quadrangle topographic map, the nearest surface water body is a non-named intermittent drainage located about one-half mile to the northwest.

Risk Evaluation
As a result of two excavations removing approximately 515 cubic yards of soil from the site, there should be little or no residual soil contamination at the site that would pose a threat to groundwater resources, human health or the environment.

Closure

Will corrective action performed ensure the protection of human health, safety and the environment? Yes

Is corrective action and UST case closure consistent with State Water Board Resolution 92-49? Yes

Objections to Closure and Response

The Regional Board objects to underground storage tank (UST) case closure at this time because post remediation monitoring has not occurred, nutrient concentrations have not been verified as returning to background and mass removal calculations have not been submitted. The Regional Board also requires public notification and well abandonment.

The Fund manager disagrees that the case can't be closed based on available information. The contaminant source has been removed to the extent practical and the nutrient levels have returned to pre-remediation concentrations. These facts have been documented in the two additional post remediation sampling events that occurred in June 2009 and September 2009. In the September 2009 Monitoring Event Report, EC&A confirmed that petroleum hydrocarbon concentration rebound has not occurred and that nutrient levels have generally returned to pre-remediation concentrations. In addition, EC&A calculated the total mass removed for TPH-g and benzene was 1.3 pounds and <1.0 pound respectively.

The Fund has conducted public notification and the Sonoma County Department of Health Services, Environmental Health Division has the responsibility to supervise the abandonment of monitoring wells.

Summary and Conclusion

This site is a former a service station. The release was discovered in 1991 when two gasoline USTs were removed. Approximately 515 cubic yards of soil have been excavated during 1996 and 1997, and groundwater conditions have been monitored since that time. In 2006 a bio-sparge system was installed at the Site which was enhanced in 2007 to include the integration of a chemical oxygenate into the system. The petroleum contaminants of concern have been reduced to non-detect in the monitoring wells. The sensitive receptor survey found four wells within 2000 feet of the Site. One is listed as inactive and two active wells are listed within 750 feet. The fourth supply well is approximately 1,900 feet from the Site and is listed as inactive. Based on available information, the corrective action ensures the protection of human health, safety and the environment and Fund manager recommends that the case be closed.