

California Regional Water Quality Control Board, North Coast Region
EAR Required Information
To Supplement

Requesting a Board Resolution

For

Nominating the Five Projects

To the

State Water Resources Control Board's Annual Site Nomination Process

For

Consideration of Funding
Under the Emergency, Abandoned and Recalcitrant (EAR) Account Program

Specific information is required by the State Water Resource Control Board (SWRCB) in order for a site to be considered for inclusion for the EAR funding. In order to save staff time in duplicating similar information, this staff report is submitted in the format required by the SWRCB. Required documentation for the SWRCB is found after the set of questions for each of the following sites:

- 1) Nancy Schultz, 10138 Highway 101, Gasquet, Case No. 1TDN055**
- 2) Shell, Albion, 3300 North Highway 1, Albion, Case No. 1TMC357**
- 3) Judy's Market, 7695 Highway 36, Carlotta, Case No 12436**
- 4) Lino's Service, 318 Main Street, Ferndale, Case No. 12675**
- 5) Noble's Grocery, 2028 Market Street, Ferndale, Case No. 12363**

Nancy Schultz

- 1) **Site Name and address:**
Nancy Schultz, 10138 Highway 199, Gasquet, Del Norte County
- 2) **Name and Address of all identified potential responsible parties:**
Nancy Schultz, address unknown
- 3) **Copy of the final corrective action order or cleanup and abatement order for each site:**
Staff letters of 4-13-05 and 10-21-04 requested a workplan for implementation and concurred with the submitted workplan.
- 4) **Name and Address of the oversight agency including the regulatory contact person's name, address, telephone number, and e-mail address:**
Mr. Dave Parson
North Coast Regional Water Quality Control Board, 5550 Skylane Blvd., Suite A,
Santa Rosa, CA 95403
(707) 576-2556
dparson@waterboards.ca.gov
- 5) **Description of the unauthorized release, petroleum products releases, water body affected or threatened, water quality, and the threat to human health, safety, and the environment:**
In January of 1993, three underground storage tanks (UST) were removed and an additional UST was removed in 1995. Soil samples indicate discharges of gasoline, diesel, and motor oil. On-site contractors indicated that significant petroleum contamination was discovered underneath the USTs and that additional USTs remain in the ground at the Site and need to be removed.

Total Petroleum Hydrocarbons (TPH) as gasoline, TPH as diesel, and TPH as motor oil were measured in nearly all soil samples with concentrations of TPH as gasoline up to 640 milligrams per kilogram (mg/Kg), TPH as diesel up to 3,600 mg/Kg, and TPH as motor oil up to 120 mg/kg. Four specific types of polynuclear aromatic hydrocarbons (PAHs) which are components of diesel were identified. They are Chrysene 0.021 mg/Kg, Anthracene 0.14 mg/Kg, Fluorene 0.28 mg/Kg, Phenanthrene 0.42 mg/Kg.

Groundwater of the Middle Fork Smith River Hydrologic Area is threatened by the discharge. Representative groundwater samples have not been collected. There are private domestic wells within 100 feet of the site that are the sole water supply for the residents. The threat to human health, safety, and the environment has not been defined. There is a threat to human health for a construction worker in the case of soil disturbances.

6) Documentation of why recalcitrant or abandoned funds are being requested for the site:

Ms. Schultz is unresponsive to RWQCB and consultant directives. A 2008 telephone conversation with a family relative indicated that a message would be forwarded to Ms. Schultz. Mr. Robert Trommer of the Underground Storage Tank Cleanup Fund indicated in the 5-Year Review letter of September 10, 2009 that the site should be nominated to the Emergency, Abandoned, & Recalcitrant Account Program. Regional Water Board staff concurs with this recommendation. A copy of the letter is attached.

7) Description of why the responsible party cannot or will not cleanup the contamination or abate its effects:

Regional Water Board staff is unable to locate the responsible party.

8) Documentation of any disputes between the regulatory agency and the responsible party:

There are no disputes

9) Any actions which have been previously taken to cleanup or abate the effects of the unauthorized release:

In 1998, interim remedial activities were implemented. The 1999 Winzler & Kelly (W&K) report of findings indicates that a total of approximately 230 cubic yards of material was excavated from the area where the former four USTs were located. The excavation was backfilled with imported river-run/aggregate base material. In addition, fuel product lines were also removed. The excavation(s) reached a depth of about 15 feet bgs and groundwater was not encountered, although soils at the base of the excavation(s) were reported to be coarse-grained and wet. Depth to groundwater in the nearby well, about 100 feet north of the excavation, was about 18 feet bgs.

In June 2000, W&K prepared a workplan for continued subsurface investigation at the Site. This workplan was prepared in response to a Regional Water Board directive to define the vertical and lateral extent of contamination with installation of three groundwater monitoring wells, characterize on-Site stockpiles for appropriate disposal, and identify sensitive receptors within 500 feet of the former USTs. The workplan was not implemented.

In March 2003 W&K prepared a sensitive receptor report (SRS) for the Site. This SRS report identified the Middle Fork of the Smith River approximately 550 feet north of the Site and six wells of which most were used for domestic purposes at that time.

In March 2005, W&K prepared a workplan to install three groundwater monitoring wells at the Site. Regional Water Board staff concurred with the workplan but the wells were never installed.

In June 2006, W&K sent a letter to the State Water Board and Regional Water Board staff indicating that Ms. Schultz was using reimbursement from the UST FUND to her personal account instead of repaying W&K for services rendered. A certified letter from W&K to Ms. Schultz dated January 23, 2006 addressing the funds owed W&K was returned as undeliverable. W&K concluded that, "It appears that these funds have been misappropriated and we may exercise our option to place a lien on the Schultz Gasquet Property." In September 2006, W&K sent a letter to the State Water Board indicating that Ms. Schultz paid W&K \$6187. However, other funds remain to be repaid to W&K.

- 10) **A description of the proposed cleanup or abatement:**
Monitoring wells are needed to determine the threat and/or impact to groundwater and determine the ground water gradient.
- 11) **The amount of annual funding requested and an estimate total required funding for each nominated site:**
The amount for installation of at least three monitoring wells and quarterly monitoring for the first year is \$50,000. It is anticipated that if active remedial work is required, a total of \$500,000 may be required for the site.
- 12) **Description of the results if funding should be denied:**
If funding is not secured, the threat to surrounding properties utilizing groundwater for domestic supply will remain undefined. The threat to human health will also remain unidentified including any indoor air exposure issues. In addition, any groundwater contaminant plume will continue to migrate and affect a larger area. The site will also remain a non-compliant open case.

Shell, Albion

1) Site name and address:

The case name is "Shell, Albion", RWQCB case number 1TMC357. The address is 3300 North Highway 1, Albion, Mendocino County.

2) Name and address of all identified potential responsible parties (RPs):

The two responsible parties are Mr. Mansor Shokohi, the current owner, and Mr. Emil Shokohi, the previous owner. Mr. Mansor Shokohi's address is P.O. Box 866, Albion, CA 95410. Mail to Mr. Emil Shokohi is sent care of his brother Mr. Mansor Shokohi. During operation of the former gasoline station, the site was owned and operated by another brother of the two Mr. Shokohis, since deceased.

3) A copy of the final corrective action order or cleanup and abatement order for the site:

Cleanup and Abatement Order R1-2002-0069 was issued for this site on May 31, 2002. In a recent review of monitoring data, Regional Water Board staff concluded that the current remediation system at the site does not appear to be having a significant impact on the contamination, and a revised remediation approach is needed. A Regional Water Board staff letter to that effect was issued May 15, 2009.

In a meeting between Mr. Mansor Shokohi and Regional Water Board staff two years ago (on April 14, 2008), Mr. Shokohi indicated that they could keep the current remediation system operating and have limited groundwater monitoring performed, but that he would have to file for bankruptcy if additional work was required.

4) The name and address of the oversight agency, including the regulatory contact person's name, address, telephone number, and e-mail address:

Mr. Craig Hunt
California Regional Water Quality Control Board, North Coast Region
5550 Skylane Blvd, Suite A
Santa Rosa, CA 95403
(707) 570-3767
CHunt@waterboards.ca.gov

5) A description of the unauthorized release, petroleum products released, water body affected or threatened, water quality, and the threat to human health, safety, and the environment:

This site was formerly a gasoline service station on the west side of Highway 1, on the Mendocino Coast. The underground storage tanks were removed in 1997, and significant gasoline impact to soil and groundwater was discovered. Subsequent investigation and anecdotal evidence indicates that the fueling system at the site was likely leaking for decades.

The former station building is still present, along with a former restaurant building just south of the station building. Contaminated soil appears to extend under both buildings. The former station building has a slab foundation, while the other building has a crawl space. There are redevelopment plans for this commercial space using the existing buildings, but the shallow soil and groundwater contamination under the buildings may present an unacceptable human health exposure risk from the indoor air pathway.

The former station is located on a slight rise between two drainages to the coastal bluffs, and contaminated groundwater flows towards and along both drainages. The highest groundwater contaminant concentrations in the last groundwater monitoring event were 68,000 µg/l TPH-gasoline, 14,000 µg/l benzene, and 48,000 µg/l MTBE.

Those TPH-gasoline and benzene results, along with 14,000 µg/l MTBE, were detected in an offsite monitoring well. This offsite contamination is near the area with the most productive groundwater supply for the adjacent property, and proposed development on that property would need to draw residential supply water from that area.

Groundwater of the Albion River Hydrologic Area is impacted. Due to the shallowness of the groundwater in the area, groundwater is in communication with surface water at the site. Historically, MTBE and benzene have been detected in some surface water samples, particularly in the onsite duck pond, which drains off-site and into the ocean. There is wildlife that makes use of these surface waters.

6) Why funds are being requested for the site:

Funds are being requested due to the high levels of remaining gasoline contamination found in groundwater and the exposure threats to off-site property owners, human health, and the environment. In addition, the full \$1.5 million Underground Storage Tank Cleanup Fund money has been expended. A new remediation approach is needed, but the RP has expressed an inability to pay for more than the operating costs of the current remediation system.

7) A description of why the RP cannot or will not clean up the contamination or abate its effects:

The RP has expressed an inability to pay for significant new work.

8) Documentation of any disputes between the regulatory agency and the RP:

There have not been any significant disputes with the RP.

9) Any actions which have been previously taken to cleanup or abate the effects of the unauthorized release (Provide brief narrative background on the corrective action activities at the site):

Approximately 7700 cubic yards of highly impacted soil was excavated between 2000 and 2004, and was either hauled off to a proper disposal facility or treated on-site and put back in place. During the 2004 excavation, contaminated soil was excavated from under the duck pond, and a synthetic liner was put in the bottom of the pond to cease the migration of contaminated groundwater into the pond water.

In 2004, three ozone sparge systems were installed at the site. One was installed in the excavation backfill in the former UST area, on the upgradient side of the station building. The other two systems were installed in two permeable walls constructed across the two groundwater plumes

10) A description of the proposed cleanup or abatement (Scope of Work):

A new remediation approach is needed, as the current ozone systems do not appear to be having a significant impact on the existing contamination. To determine the new approach, a new feasibility study and corrective action plan will have to be developed. The feasibility study will, in all likelihood, need to include pilot tests. Pilot tests and the subsequent feasibility study report/corrective action plan are probably all that can realistically be accomplished for the first fiscal year. The full CAP implementation would likely begin in the following fiscal year.

11) The amount of funding requested (Budget to implement a proposed Scope of Work, estimated):

It is estimated that \$300,000 is needed to build and operate a new remediation system for the first year of operation.

12) A description of the results if funding should be denied:

Without the EAR funds, little additional contaminant mass destruction or removal is likely to take place. The beneficial uses of waters of the State would remain impacted for a significant period of time. Continued contamination presence could cause potential human health exposures with commercial redevelopment of the site, also possibly hindering the redevelopment; offsite beneficial use of groundwater will remain impacted; and additional wildlife contaminant exposures are possible. If the site is not cleaned up, water supply for adjacent property will likely be contaminated and unavailable for use thereby limiting the potential for new (planned) development.

Judy's Market

1) Site name and address:

Judy's Market
7695 Hwy 36
Carlotta, CA 95528

2) Responsible Party:

Bonnie Mulder
7695 Hwy 36
Carlotta, CA 95528

3) Corrective Action Order and Cleanup and Abatement Order:

See attached letters dated April 7, 2004

4) Regulatory Lead:

Humboldt County Environmental Health, Local Oversight Program
Mark Verhey, PG
100 H Street, Suite 100
Eureka, CA 95501
(707) 268-2208
mverhey@co.humboldt.ca.us

5) Description of Unauthorized Release:

This site was used as a retail fuel facility since the 1950s. USTs were removed in October 1992. An URF was filed that same month. Soil samples collected during the UST removal recorded TPHg in soil as high as 1200 ppm. The site is in close proximity to residences and is approximately 1200 feet easterly of the Van Duzen river. Groundwater of the Hydesville Hydrologic Area may be impacted. The threat to human health, safety, and the environment has not been defined. There is a threat to human health for a construction worker in the case of soil disturbances.

6) Documentation of why recalcitrant funds are being requested:

See attached letters from USTCF dated 8-17-1994, 1-5-1995 and 6-12-1995.

7) Description of why RP cannot or will not clean up contamination or abate the effects:

The RP originally named for this site, Tony Michelet, did submit a workplan for subsurface investigation in July 1994. The workplan was never executed. Mr. Michelet did apply to the USTCF, was issued a letter of commitment, but was withdrawn due to no response. The site was sold to Bonnie Mulder in January 2003, who was subsequently named RP.

8) Documentation of dispute between regulatory agency and RP:

See attached letter from Robert Tancreto dated 5-17-2002.

- 9) **Actions taken to clean up or abate effects of unauthorized release:**
UST were removed in October 1992. No other work has been done.
- 10) **Description of proposed cleanup or abatement:**
Humboldt County LOP proposes to oversee investigative work on the site to determine the vertical and lateral extent of TPHg contamination in soil. We also recommend installation of a monitoring well(s) in the area(s) of identified soil contamination to evaluate natural attenuation as an option. Due to subsurface conditions, namely a coarse unit near the surface, HCDEH anticipates this site may be a candidate for no further action if the funding is approved and some field work is completed.
- 11) **Amount of annual funding requested and estimated total required funding:**
Humboldt County requests \$25,000 annual funding and estimates \$100,000 total required funding.
- 12) **Description of results should funding be denied:**
If funding is not secured, the threat to surrounding properties utilizing groundwater for domestic supply will remain undefined. The threat to human health will also remain unidentified including any indoor air exposure issues. In addition, any groundwater contaminant plume will continue to migrate and affect a larger area. The site will also remain a non-compliant open case.

Lino's Service

1) Site Name and Address:

Lino's Service
318 Main Street
Ferndale, CA 95536

2) Name and Address of All Identified RPs:

Lino Mogni
P.O. Box 298
Ferndale, CA 95536-0298

3) Copy of Corrective Action / Cleanup and Abatement Order:

See attached correspondence November 2002, December 2002, April 2004, August 2004, July 2005, and January 2006.

4) Regulatory Oversight Agency and Contact:

Humboldt County Division of Environmental Health
Mark Verhey
100 H St Suite 100
Eureka, CA 95501
707.268.2239
mverhey@co.humboldt.ca.us

5) Description of Unauthorized Release:

Two 1000-gallon gasoline underground storage tanks were excavated and removed in June 1998. The excavation resulted in removal of approximately 30-cubic yards of contaminated soil. Laboratory analyses of soil and groundwater samples from the excavation pit confirmed the presence of petroleum hydrocarbon contamination with gasoline to 1,400,000-ppm, BTEX to 90-ppm, 5,000-ppm, 15,000-ppm, 17,000-ppm (respectively), and MTBE to 430-ppm. As a result of these findings, an *Underground Storage Tank Unauthorized Release Report* was filed in June 1998. Francis Creek is approximately 400-feet northwesterly of the site. Groundwater of the Ferndale Hydrologic Sub Area is impacted. The threat to human health, safety, and the environment has not been defined. There is a threat to human health for a construction worker in the case of soil disturbances.

6) Why Recalcitrant or Abandoned Funds are requested:

Health, safety, and the environment continue to be threatened by the gasoline release from this site. The Francis Creek is approximately 400-feet west to north of the site. Funding from the EAR Account may help facilitate corrective action at this recalcitrant site.

7) Why RP Can Not or Will Not Cleanup Contamination:

RP has been found ineligible for fund reimbursement. The February 2007 Fund decision is attached

8) Documentation of Disputes between the Regulatory Agency and the RP:

No disputes have been documented. However the RP has repeatedly failed to comply with deadlines and requests for submittals by the Humboldt County Division of Environmental Health (HCDEH) and the North Coast Regional Water Quality Control Board.

9) Previous Cleanup or Abatement Actions:

Five borings were installed and a Sensitive Receptor Survey was conducted in February 2002. Table of soil and groundwater results attached

Additional subsurface investigation was proposed in December 2005 workplan to install four groundwater monitoring wells and three borings. This work has not been conducted.

10) Proposed Cleanup or Abatement:

Initial site assessment has not been completed. Based on the results from the February 2002 subsurface investigation, soil and/or groundwater contamination (as TPHg, BTEX, and MTBE) has likely migrated off site. The lateral and vertical extent of this contamination has not been fully characterized and is necessary for determining appropriate and relevant remedial action.

11) Amount of Funding Requested:

The extent of soil and groundwater contamination has not been fully delineated. However since groundwater is contaminated, and the site is located in an area with shallow groundwater the amount of funding for cleanup is estimated to be \$175,000 to \$200,000.

12) Results if Funding Denied:

The Francis Creek is threatened by the release of gasoline, BTEX, and MTBE from this site. Nearby underground utilities likely to pose a threat as preferential pathways are the sewer and water lines that serve the property from Main Street. If funding is not secured, the threat to surrounding properties utilizing groundwater for domestic supply will remain undefined. The threat to human health will also remain unidentified including any indoor air exposure issues. In addition, any groundwater contaminant plume will continue to migrate and affect a larger area. The site will also remain a non-compliant open case.

Noble's Grocery

1) Site name and address:

Noble's Grocery
2028 Market St
Ferndale, CA 95536

2) Responsible Party:

Randy and Sharlene Rayl
PO Box 1204
Ferndale, CA 95536

3) Corrective Action Order and Cleanup and Abatement Order:

See attached letters dated 4-2-2002.

4) Regulatory Lead:

Humboldt County Environmental Health, Local Oversight Program
Mark Verhey, PG
100 H Street, Suite 100
Eureka, CA 95501
(707) 268-2208
mverhey@co.humboldt.ca.us

5) Description of Unauthorized Release:

This site is occupied by a grocery store and had operated as a retail gas station. Four USTs were removed in July 1991. Initial soil samples recorded TPHg concentrations as high as 8100 ppm. Subsequent groundwater samples have recorded TPHg and benzene concentrations as high as 13,000 ppb and 190 ppb, respectively. Salt River is approximately 2,000-feet north of the site. Groundwater Ferndale Hydrologic Sub Area is currently affected. The threat to human health, safety, and the environment has not been defined. There is a threat to human health for a construction worker in the case of soil disturbances.

6) Documentation of why recalcitrant funds are being requested:

See attached letters from USTCF dated 10-12-2006 and 8-24-2006.

7) Description of why RP cannot or will not clean up contamination or abate the effects:

The RP originally named for this site, Paul Sauer, did not take any action to characterize the extent of release. Mr. Sauer did apply to the USTCF, but was withdrawn due to no response. Site was sold to the Rayls in May 1996, who were subsequently named RP. The Rayls did submit a workplan in April 2005, but it was never executed.

- 8) **Documentation of dispute between regulatory agency and RP:**
See attached memo from Jim Clark dated 2-16-1993.
- 9) **Actions taken to clean up or abate effects of unauthorized release:**
UST were removed in 1991. Humboldt County has assisted the Rayls in collecting soil samples and grab groundwater samples.
- 10) **Description of proposed cleanup or abatement:**
Humboldt County LOP proposes to oversee investigative work on the site to determine the vertical and lateral extent of TPHg contamination in soil. We also recommend installation of a monitoring well(s) in the area(s) of identified soil contamination to evaluate natural attenuation as an option.
- 11) **Amount of annual funding requested and estimated total required funding:**
Humboldt County requests \$25,000 annual funding and estimates \$100,000 total required funding.
- 12) **Description of results should funding be denied:**
If funding is not secured, the threat to surrounding properties utilizing groundwater for domestic supply will remain undefined. The threat to human health will also remain unidentified including any indoor air exposure issues. In addition, any groundwater contaminant plume will continue to migrate and affect a larger area. The site will also remain a non-compliant open case.