STATE OF CALIFORNIA

STATE WATER RESOURCES CONTROL BOARD

ORDER WQ 2022-0051-UST

In the Matter of Underground Storage Tank (UST) Case Closure Pursuant to Health and Safety Code Section 25296.10 and the Low-Threat Underground Storage Tank Case Closure Policy

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BY THE CHIEF DEPUTY DIRECTOR:[1]

By this order, the Chief Deputy Director directs closure of the UST case at the site listed below, pursuant to section 25296.10 of the Health and Safety Code.[2] The name of the responsible party, the site name, the site address, the Underground Storage Tank Cleanup Fund (Fund) claim number if applicable, current and former lead agencies, and case numbers are as follows:

Behrouz (Bob) Zaman (Responsible Party)
Picasso Auto Body
8355 West 3rd Street, Los Angeles, Los Angeles County
Fund Claim No. 17582
Los Angeles Regional Water Quality Control Board, Case No. 900480134

[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 California Health and Safety Code.

I. STATUTORY AND PROCEDURAL BACKGROUND

Upon review of a UST case, the State Water Resources Control Board (State Water Board) is authorized to close or require closure of a UST case where an unauthorized release has occurred, if the State Water Board determines that corrective action at the site is in compliance with all the requirements of subdivisions (a) and (b) of section 25296.10. The State Water Board, or in certain cases the State Water Board Executive Director or Chief Deputy 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: 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.

State Water Board staff has completed a 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. The UST case record that is the basis for determining compliance with the Water Quality Control Policy for Low-Threat Underground Storage Tank Case Closures (Low-Threat Closure Policy or Policy) is available on the State Water Board's GeoTracker database.

GeoTracker Case Record: http://geotracker.waterboards.ca.gov/?gid=T0603780422

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, 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 uniform closure letter as specified in Health and Safety Code section 25296.10. The uniform 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 (l)(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 uniform closure letter or a letter of commitment, whichever occurs later, shall not be reimbursed unless specified conditions are satisfied.

II. FINDINGS

Based upon the facts in the UST record and the hydrogeologic conditions at the site, as summarized in the attached UST Case Closure Summary, the State Water Board finds that corrective action taken to address the unauthorized release of petroleum at the UST release site identified as:

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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 with 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. This order does not address non-petroleum contamination at the site, if non-petroleum contamination is present.

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 State Water 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 Low-Threat Closure Policy are less than significant, and environmental impacts as a result of adopting this order in compliance 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 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 (LOP) 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 uniform closure letter, the responsible party 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.

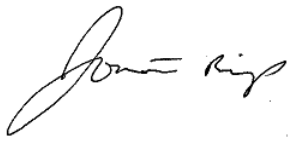
C. Within 30 days of receipt of proper documentation from the responsible party that requirements in subparagraphs (1) and (2) of Paragraph (A) are complete, the regulatory agency that is responsible for oversight of the UST case identified in Section II of this order shall notify the State Water Board 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 Water Quality shall issue a uniform closure letter consistent with Health and Safety Code section 25296.10, subdivision (g) and upload the uniform closure letter to GeoTracker.

E. 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 uniform closure letter in order for the costs to be considered.

F. Any Regional Water Board or LOP 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 LOP agency directive is inconsistent with this order.



August 17, 2022

Chief Deputy Director

Date

UNDERGROUND STORAGE TANK (UST) CASE CLOSURE SUMMARY

Agency Information

Agency Name: Los Angeles Regional Water Quality Control Board (Los Angeles Water Board)	Address: 320 West 4th Street Los Angeles, CA 90013
Agency Caseworker: David Bjostad	Case No.: 900480134

Case Information

UST Cleanup Fund (Fund) Claim No.: 17582	Global ID: T0603780422
Site Name: Picasso Auto Body	Site Address: 8355 West 3rd Street Los Angeles, CA 90048 (Site)
Responsible Party: Behrouz (Bob) Zaman	Address: Matrix Collision Repair Facility 1016 South La Cienega Boulevard Los Angeles, CA 90035
Fund Expenditures to Date: $1,486,140	Number of Years Case Open: 23

GeoTracker Case Record: http://geotracker.waterboards.ca.gov/?gid=T0603780422

Summary

The Picasso Auto Body site is currently a vacant lot. The site formerly operated as a fueling station and auto repair facility. Naturally occurring tar is present beneath the site and migrates upward through fractures or other openings within the subsurface. Oil production wells (Garbutt Well # 5 and Chevron Well #117) are located on and near the site but are no longer active. In 1998, three gasoline underground storage tanks (USTs) and one waste oil UST were removed. The gasoline USTs were reported to be corroded, and there were visual and odorous evidence of soil contamination noted.

The following remedial efforts were implemented at the site:

1) December 2004, dual-phase extraction (DPE) pilot test. Sixty-six pounds of Total Petroleum Hydrocarbons gasoline and 685 gallons of petroleum-impacted groundwater were removed.

2) June 2008 through July 2013, DPE was conducted intermittently. Approximately 9,867 pounds of vapor-phase petroleum hydrocarbons and 331,000 gallons of groundwater were removed.
3) December 2014 and April 2015, in-situ chemical oxidation pilot test occurred in six soil borings around monitoring well GW4. It was reported that this pilot test was ineffective due to the clay soils.
4) February 2018 to present, absorbent socks were used to remove remaining free product in six wells. Approximately 9.76 gallons of free product was removed.

Despite significant remedial efforts, petroleum impacts to groundwater remain both on- and offsite. Residual petroleum impacts are comingled with naturally occurring tar making further corrective action impracticable. Light non-aqueous phase liquid (LNAPL) is still present in offsite monitoring well GW7A. However, the presence of naturally occurring tar in the vicinity of the site makes further LNAPL recovery unlikely to affect human health exposure for site users. Continued LNAPL recovery from GW7A is infeasible to due to the low recovery rate (less than half a gallon per semi-annual event). Vapor intrusion exposure for the occupants of the neighboring businesses is considered to be a low threat based on vapor samples collected from the nearby vapor monitoring wells. In addition, this area has a bioattenuation zone which further assures that nearby businesses will not be affected by petroleum vapors.

The remaining groundwater contaminant plume is defined, has remained stable over for at least four years, and is less than 450 feet laterally. The groundwater plume is deep enough that direct contact is with groundwater is not likely. There are no drinking water wells or surface water bodies within 2000 feet of the plume and the groundwater beneath the site is not suitable for drinking water due to the presence of the naturally occurring petroleum.

The remaining petroleum impacts in soil pose a low threat to the surrounding environment and human health. Petroleum-impacted soil concentrations are generally below the standards set in the Policy at 5 to 10 feet bgs. Naphthalene in soil exceeded residential screening value for volatilization to outdoor air (9.7 mg/kg) in offsite monitoring wells MW19 and SV11 at around 10 feet bgs, with concentrations of 14.4 mg/kg and 32.1 mg/kg, respectively. However, these monitoring wells are located near wells that were “plugged” by the natural occurring tar. It is likely that this tar contributed to the observed naphthalene concentrations at MW19 and SV11.

Soil vapor samples taken at the site indicate the presence of a bioattenuation zone, with oxygen percentages greater than 4 percent in the top 5 feet of soils. Soil vapor sample results are less than or equal to those listed in Scenario 4 of the Policy.

Remaining petroleum constituents are limited, stable, and decreasing. Additional assessment would be unnecessary and will not likely change the conceptual model. Any remaining petroleum constituents do not pose significant risk 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.
- Groundwater Media-Specific Criteria – Site meets the **criteria in Class 5**. The regulatory agency determines, 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, safety, and to the environment and water quality objectives will be achieved within a reasonable time frame.
- Petroleum Vapor Intrusion to Indoor Air – Site meets **Criteria 2 (a), Scenario 4**. The concentrations of benzene, ethylbenzene, and naphthalene in soil gas are less than the Policy limits as it applies to the bioattenuation zone, land use, and existing or planned future building structures at the Site.
- Direct Contact and Outdoor Air Exposure – Site meets **Criteria 3 (b)**. Maximum concentrations of petroleum constituents in soil are less than levels that a site-specific risk assessment demonstrates will have no significant risk of adversely affecting human health.

Recommendation for Closure

The corrective action performed at this Site ensures the protection of human health, safety, and the environment. The corrective action performed at this Site is consistent with chapter 6.7 of division 20 of the Health and Safety Code, implementing regulations, applicable state policies for water quality control and applicable water quality control plans. Case closure is recommended.

Prepared by:

Steven Mullery

3/17/2022

Steven Mullery
Engineering Geologist

Date

Reviewed By:

4/14/2022

Matthew Cohen, P.G. No. 9077
Senior Engineering Geologist

Date