



Countywide Services Agency

Environmental Management
Department

Environmental Compliance Division
Elise Rothschild, Chief

County of Sacramento

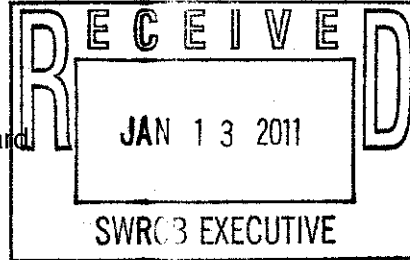
Steven C. Szalay, Interim County Executive

Bruce Wagstaff, Agency Administrator

Val F. Siebal, Department Director

Public Comment
UST Case Closure - #3594
Deadline: 2/15/11 by 12 noon

Ms. Jeanine Townsend
Clerk to the Board
State Water Resources Control Board
1001 I Street, 24th Floor
P.O. Box 100
Sacramento, CA 95812-0100



January 7, 2011

**RE: FEBRUARY 15, 2011, BOARD MEETING
UST CASE CLOSURE
908 20TH STREET/USTCF CLAIM #3594**

The Sacramento County Environmental Management Department (EMD) Local Oversight Program (LOP) received State Water Resources Control Board (SWRCB) correspondence dated December 15, 2010, indicating that the UST Cleanup Fund (USTCF) will recommend case closure of the above-referenced site at the February 15, 2011, Board meeting. We are writing as the local agency overseeing corrective action to provide our comments regarding the proposed site closure.

On November 5, 2009, EMD issued a directive letter to install a single groundwater monitoring well to the second watering zone. Previously, a cased Hydropunch® sample found that petroleum contamination had migrated to this deeper zone. On May 5, 2010, EMD issued the responsible parties a letter of non-compliance with the November 2009 directive. Following this, the RP installed the requested monitoring well. Results from sampling the second water-bearing zone well were not available until December 29, 2011. These results indicate the second-water bearing zone is not impacted.

Before these recent results were available, however, the USTCF in its December 15, 2010, closure recommendation commented that "The contamination identified in this deeper water bearing zone appears not to be related [to] the shallow groundwater contamination at this site. This conclusion is based on review of the soil boring log from the hydropunch boring that indicates a 14 foot clay layer separates the shallow groundwater from the lower water bearing zone. There is no apparent explanation of how the petroleum hydrocarbons could have been drawn down from the upper to the lower zone through this clay layer...The site and adjacent public areas (sidewalks and streets) are paved so there is little surface water infiltration that could drive petroleum hydrocarbon compounds deeper and there is no documentation of pumping wells in the vicinity of the site that could draw the petroleum compounds down."

We believe that this rationale is unsupportable. The absence of an actual or apparent explanation for why or how something happened is presented as evidence that it didn't occur? In our society often the opposite is true: for example, many theologians assert that unexplained phenomena (e.g. miracles) support the existence of God, which most of us accept. It is more likely that unknown, undiscovered conduits may allow contamination to migrate from a shallow to deeper aquifer, through low permeability strata, rather than that an off-site, unknown petroleum source miraculously migrates to a location just below an existing plume.

Sacramento County Response to Case Closure Recommendation
908 20th Street, Sacramento, CA
January 7, 2011

We would like to draw your attention to the UST case at 714 Walnut Street in Red Bluff, California where weathered free product (over seven feet thick in one well) was found below a 30-foot thick clay layer "with no apparent explanation of how the petroleum hydrocarbons could have been drawn down from the upper to the lower zone through this clay layer." Note that the Red Bluff site is subject to a RWQCB Cleanup and Abatement Order (CAO). The CAO notes:

Limited data indicate petroleum constituents have impacted three water-bearing units; a shallow permeable unit (the A Zone), an underlying aquitard, and a deeper permeable unit (the B Zone). Weathered free product with low fuel oxygenate concentrations occurs in the B Zone and is attributed to releases predating the 1996 property sale. Fresh free product with high MtBE concentrations occurs in the A Zone and is currently attributed to releases post dating the sale.

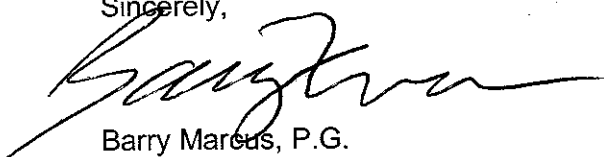
To date, no free product has been found below the 908 20th Street site, although very high dissolved concentrations were present. Additional sampling of the second water-bearing zone recently confirmed that impacts to the deeper zone haven't happened; the original finding of impact was likely the result of cross-contamination during drilling through two zones.

Based on the completion of the additional work our agency required, EMD believes that site closure is appropriate. We now have no objection to the Board closing the site. Again we would prefer that a closure letter not be issued until the many wells at the site are destroyed; pre-well destruction closure removes the incentive for timely well destruction by the RP.

More generally, closing sites that have had LNAPLs or high dissolved concentrations present in the upper water-bearing zone without evaluating potential second-zone contamination may result in sites such as 714 Walnut Street going undetected until a resource is impacted.

If you have any questions regarding the above, or the site in general, please contact me at (916) 875-8506, or by e-mail at marcusb@saccounty.net.

Sincerely,



Barry Marcus, P.G.
Supervising Environmental Specialist
Sacramento County Environmental Management Department
Local Oversight Program

BIM:gfb

c: Kevin Graves, SWRCB
Robert Trommer, SWRCB
George Lockwood, SWRCB
John Russell, SWRCB
Susan Erikson, SCEMD