

STATE OF CALIFORNIA  
STATE WATER RESOURCES CONTROL BOARD  
**ORDER WQ 2014-1058-UST**

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**In the Matter of Underground Storage Tank 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 EXECUTIVE DIRECTOR:<sup>1</sup>**

By this order, the Executive Director directs closure of the underground storage tank (UST) case at the site listed below, pursuant to section 25296.10 of the Health and Safety Code.<sup>2</sup> 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:

**4S Corporation (Responsible Party)**

**Valley Car Wash/Valley Lube A**

**7530 North Van Nuys Boulevard, Van Nuys, Los Angeles County**

**State Water Resources Control Board, Division of Water Quality, Case No. N/A (Current)**

**City of Los Angeles, Case No. TT26347 (Former)**

**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 of 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, may close a case or require the closure of a UST case. Closure of a UST case is appropriate where the

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<sup>1</sup> 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.

<sup>2</sup> Unless otherwise noted, all references are to the California Health and Safety Code.

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.

**URL:** [http://geotracker.waterboards.ca.gov/profile\\_report.asp?global\\_id=T10000002731](http://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T10000002731)

### **Low-Threat Closure Policy**

In State Water Board Resolution No. 2012-0016, the State Water Board adopted the 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, the State Water Board finds that corrective action taken to address the unauthorized release of petroleum at the UST release site identified as:

**4S Corporation (Responsible Party)**

**Valley Car Wash/Valley Lube A**

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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 other water quality control policies and applicable water quality control plans.

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 State Water Board 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 notification that the tasks are complete pursuant to Paragraph (A), 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.
  
- D. 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.

E. 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.

  
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Executive Director

10/06/2014  
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Date

## State Water Resources Control Board

### UST CASE CLOSURE SUMMARY

#### Agency Information

Current Agency Name: State Water Resources Control Board (State Water Board)	Address: 1001 I Street, P.O. Box 2231 Sacramento, CA 95812
Current Agency Caseworker: Mr. Matthew Cohen	Case No.: N/A

Former Agency Name: City of Los Angeles (Prior to 7/25/2013)	Address: 200 North Main Street, Suite 1780 Los Angeles, CA 90012
Former Agency Caseworker: Mr. Eloy Luna	Case No.: TT26347

#### Case Information

USTCF Claim No.: 19460	Global ID: T10000002731
Site Name: Valley Car Wash/Valley Lube A	Site Address: 7530 North Van Nuys Boulevard Van Nuys, CA 91405 (Site)
Responsible Party: 4S Corporation Attention: Mr. Shahriar Shouhed	Address: 7530 North Van Nuys Boulevard Van Nuys, CA 91405
USTCF Expenditures to Date: None	Number of Years Case Open: 5

URL: [http://geotracker.waterboards.ca.gov/profile\\_report.asp?global\\_id=T10000002731](http://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T10000002731)

#### Summary

The Low-Threat Underground Storage Tank Case Closure Policy (Policy) contains general and media-specific criteria, and cases that meet those criteria are appropriate for closure pursuant to the Policy. This Site meets all of the required criteria of the Policy.

The release at the Site was discovered during the removal of two 10,000 gallon gasoline underground storage tanks (USTs) and one 1,000 gallon waste oil UST during December 2008. The USTs were installed in the early 1960s and were reportedly removed from service during December 1989. No USTs exist on-Site. The Site is operated as a car wash facility.

Confirmation samples collected during August 2013, indicate that elevated concentrations of petroleum constituents in soil are limited to soil between approximately 20 and 40 feet below grade surface (bgs). Total petroleum hydrocarbons (TPH) as gasoline at approximately 5,500 milligrams per kilogram (mg/kg), the highest TPH concentration, remains near soil boring location B4-20 at 20 feet bgs. TPH as gasoline in soil is non-detect between approximately 50 to 80 feet bgs. Site reports indicate that groundwater depth is estimated to be approximately 200 feet bgs. Groundwater was not encountered beneath the Site during soil sampling activities to a depth of 80 feet bgs.

Valley Car Wash/Valley Lube A  
7530 North Van Nuys Boulevard, Van Nuys

The nearest public supply wells regulated by the California Department of Public Health are located approximately 6,200 feet southeast of the Site. The nearest surface water body is the Pacoima Wash located approximately 440 feet southwest of the Site.

Public water is provided by the Los Angeles Water & Power. Public supply wells are usually constructed with competent sanitary seals. Remaining petroleum constituents are limited. Additional corrective action would be unnecessary and costly. Additional assessment will not likely change the conceptual site model. Remaining petroleum constituents do not pose significant risk to human health, safety or the environment.

### Rationale for Closure under the Policy

- Criteria – **Site MEETS ALL EIGHT GENERAL CRITERIA under the Policy.**
- Groundwater Media- Specific Criteria – Site releases **HAVE NOT LIKELY AFFECTED GROUNDWATER.** Soil does not contain sufficient mobile constituents [leachate, vapors, or light non-aqueous-phase liquids] to cause groundwater to exceed the groundwater criteria in this Policy.
- Petroleum Vapor Intrusion to Indoor Air – Site meets **CRITERIA (2) b.** A Site-specific risk assessment for the vapor intrusion pathway was conducted and demonstrates that human health is protected to the satisfaction of the regulatory agency. Concentrations of residual petroleum hydrocarbons remain in soil between approximately 20 and 40 feet bgs. Site reports indicate that contaminant in soil are composed of weathered gasoline and likely does not pose a threat to health or safety to workers at the Site.
- Direct Contact and Outdoor Air Exposure – Site meets **CRITERIA (3) a.** Maximum concentrations of petroleum constituents in soil are less than or equal to those listed in Table 1 of the Policy.

### Recommendation for Closure

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

Prepared By: Francisco Corella  
Francisco Corella  
Engineering Student Assistant

6/2/14  
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Date

Reviewed By: Benjamin Heningburg  
Benjamin Heningburg, PG No. 8130  
Senior Engineering Geologist

6/2/14  
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Date