ALAMEDA COUNTY WATER DISTRICT

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August 15, 2013

Mr. Pete Mizera
State Water Resources Control Board
1001 I Street, 16th Floor
Sacramento, CA 95814

Dear Mr. Mizera:

Subject: Comment Letter – Pen Bullet Express Case Closure Summary

The Alameda County Water District (ACWD) thanks you for the opportunity to comment on the State Water Resources Control Board's (State Board) Underground Storage Tank Cleanup Fund's (Fund) case closure recommendation for Pen Bullet Express, 1143 Pacific Street, Union City. ACWD has reviewed the Fund's "UST Case Closure Review Summary Report" (Summary) for the site (Claim No. 2609) and does not agree with the Fund Manager's determination that this case is ready for closure at this time.

ACWD has reviewed the site pursuant to the State Board's recently adopted "Low-Threat Underground Storage Tank Case Closure Policy (Policy), and have determined that this site does not meet all of the closure criteria specified in the Policy. Specifically, a conceptual site model that assesses the nature, extent, and mobility of the release has not been fully developed; the secondary source has not been removed to the extent practicable; and the contaminant plume that exceeds water quality objectives is not stable or decreasing in areal extent. The following are the impediments to closure per the Policy:

1. This site does not meet the Policy's General Criteria (e): "A conceptual site model that assesses the nature, extent, and mobility of the release has been developed." The extent of groundwater contamination has not been fully defined for this site since groundwater contaminant concentrations have fluctuated, and increased, since the implementation of in-situ chemical oxidation in June of 2011 to remediate groundwater contamination. The consultant's (Kenneth Henneman) report dated June 26, 2012, documents steadily increasing concentrations of petroleum hydrocarbons in monitoring well W4, which is located down-gradient of the source area, since the injection of sodium persulfate at the site in June of 2011. There is also insufficient data from the monitoring well (P12) located down-gradient of well W4, which has shown fluctuating levels of petroleum hydrocarbons since the well was installed in June 2011. In addition, low concentrations of total petroleum hydrocarbons as gasoline (TPH-g) [exceeding the Regional Board's Environmental Screening Level (ESL) of 100 ppb] were detected in the most recent

sampling of down-gradient well P3, which has not occurred since 2005 and indicates that the contaminant plume is not stable. Additionally, the nature and extent of soil contamination has not been fully defined for this site because confirmatory soil samples have not been collected in the source area since elevated petroleum hydrocarbons were detected in the last soil sampling, completed in 1994.

2. This site also does not meet the Policy's General Criteria (f): "Secondary source has been removed to the extent practicable." According to the "Tank Closure Report" dated August 2, 1989, at the time of removal of the underground storage tank (UST) in April 1989, soil samples collected beneath the ends of the UST indicated no contamination; therefore, no soil was excavated beyond what was required to remove the UST. However, no soil samples were collected beneath the underground piping or fuel dispenser at that time. In 1994, an extraction well (W-2) was installed in the vicinity of the former dispenser (suspected source area) and elevated concentrations of TPH-g were detected in soil from depths of 16.5 feet below grade (TPH-g at 5,000 ppm) to 36 feet below grade (TPH-g at 2,500 ppm). No soil samples were collected at shallower depths (i.e., ground surface to 16.5 feet). No attempt has been made to excavate or remediate the soil contamination in this area, and no physical or infrastructural constraints exist at this location that would have made secondary source removal technically or economically infeasible. These results indicate that the secondary source has not been removed to the extent practicable and elevated concentrations of petroleum hydrocarbons remain in soil and groundwater beneath the site.

3. Finally, this site does not appear to meet the Policy's Media-Specific Criteria for Groundwater, which states that "the contaminant plume that exceeds water quality objectives must be stable or decreasing in areal extent." As noted above, the contaminant plume does not appear to be stable as indicated by the fluctuating concentrations of petroleum hydrocarbons detected in well P12, as well as recent detections in down-gradient well P3.

If you have any questions regarding this site, please contact M. Selim Zeyrek at (510) 668-4491 or Thomas Berkins, the Groundwater Protection Program Coordinator at (510) 668-4442.

Sincerely,

Steven D. Inn
Groundwater Resources Manager

sz/jm
cc: Thomas Berkins, ACWD
Cherie McCaulou, Regional Water Quality Control Board
Kenneth Henneman, Water Resources Consultant
Dennis Giovannini, Pen Bullet Express