

4002

County of Santa Clara

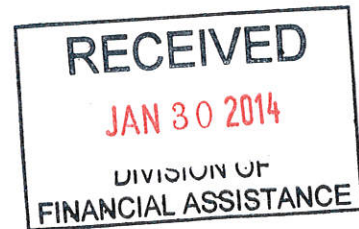
Department of Environmental Health

1555 Berger Drive, Suite 300
San Jose, California 95112-2716
(408) 918-3400
www.EHinfo.org



January 24, 2014

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



Subject: Proposed Low-Threat Underground Storage Tank Case Closure of Underground Storage Tank Site at Prudential Overall Supply, 1429 Milpitas Blvd, Milpitas, CA Number 12-059, SCVWDID Number 05S1E31M01f, CCRWQCB No. 43s0797, Global ID No. T0608501825, CUF Claim No. 4002

Dear Mr. Cooper:

The Santa Clara County Department of Environmental Health (DEH) received the Notice of Opportunity for Public Comment (Public Notice) on November 6, 2013. The Public Notice stated that the State Water Resources Control Board (State Board) will accept comments on the proposed underground storage tank (UST) case closure for the site referenced above. Comments on the Case Closure Review Summary Report (RSR) were due on January 15, 2014. We are aware that our comments are being submitted past the due date and the delay was associated in our attempts to contact the State Board to discuss this case prior to submitting our written comments. The DEH contacted the State on multiple occasions during the comment period to request a meeting to discuss our concerns about the site (see attached emails) and we brought the case up with the Cleanup Fund Staff during the last LOP Roundtable on November 13, 2013. At that time, the Cleanup Fund Staff encouraged us to contact them directly to discuss our sites and any concerns. As of the date of this letter the State Board and Cleanup Fund staff have not responded to the DEH.

Also during the comment period, the DEH was alarmed to learn that the environmental file stored on Geotracker for the Spill, Leaks, Investigation, and Cleanup (SLIC) case for this site (SLT20107113) was deleted on or around November 7, 2013. The DEH brought this issue to the attention of the State Board and the file was restored on November 26, 2013. This particular file belongs to the Regional Water Quality Control Board and they were not aware that the file had been deleted.

The purpose of this letter is to respond to the Public Notice by providing information from DEH's evaluation of the case against the Low Threat Closure Policy (LTCP). This evaluation provides some of the information which the DEH wished to discuss with the State Board. The DEH believes that the site should not be closed.

The State Board completed their version of the LTCP checklist on August 15, 2013 in Geotracker and concluded that the site should be closed. The DEH also compared the site to the criteria in the LTCP and determined that the State Board's LTCP review included incorrect information and omitted pertinent contaminant information.

Low Threat Closure Policy Criteria Not Met

- **General Criteria: The unauthorized release is located within the service area of a public water system.**
 - The State Board's review of the site indicates that the unauthorized release is located within the service area of the City of Santa Rosa's a public water system. It should be noted that the City of Santa Rosa is located approximately 90 miles to the north of the site. The site is located within the city of Milpitas, which is served by the City of Milpitas Community Services Water Supplier. The DEH recommends that the State Board review the service area information on the LTCP checklist and correct this error.

- **General Criteria: The unauthorized release consists only of petroleum.**
 - The State Board's review indicates that the unauthorized release consists only of petroleum. It should be noted that the unauthorized release includes petroleum compounds and non-petroleum compounds including Stoddard solvents, trichloroethene (TCE), tetrachloroethene (PCE) and cis-1,2-dichloroethene (cis-1,2-DCE). The LTCP states that "petroleum is defined as crude oil, or any fraction thereof...including motor fuels, jet fuels, distillate fuel oils, residual fuel oils, lubricants, petroleum solvents and used oils, including any additives and blending agents such as oxygenates contained in the formulation of the substances." The non-petroleum compounds listed above do not meet the LTCP definition of a petroleum compound. The DEH recommends that the State Board include the compounds listed above in their evaluation of the site and exempt the site from the LTCP or clearly state that the closure is only for the fuel leak contamination at the site and specifically does not address the presence of solvents.

- **General Criteria: A conceptual site model that assesses the nature, extent, and mobility of the release has been developed.**
 - The extent of the groundwater contamination has not been defined. All investigative work was completed up to the property line. Beyond the property line is a railroad line and residential developments. Grab groundwater samples collected past the interceptor trench in a utility trench was reported to contain 3,400,000 parts per billion (ppb) Stoddard solvent in 1986. Additional grab groundwater samples collected in 1996 outside of the interceptor trench were reported to have up to 2,400 ppb cis-1,2-DCE, 100 ppb TCE, 42 ppb trans 1,2-dichloroethene, and 81 ppb Vinyl Chloride. These samples were all collected downgradient of the interceptor trench. Therefore, the extent of groundwater contamination in the downgradient direction has not been defined and residences are present in the downgradient direction.

 - The interceptor trench is currently extracting and treating groundwater at the site. The groundwater conditions at the site with the interceptor trench not in operation are not known. When groundwater remediation ceases it is common for concentrations of

contaminants to increase due to rebound into untreated contaminated soil. If the site is closed and the groundwater extraction from the trench is terminated, groundwater contamination could increase and off-site contaminant migration may increase.

- The isoconcentration maps in the most recent groundwater monitoring report (Cardno ERI, May 29, 2013) for PCE, TCE, TPH-stoddard solvent, and TPH-gasoline indicate that their respective groundwater plumes are not defined. Several of the isoconcentration maps indicate that concentrations increase with distance from the source. For example, the highest PCE concentrations were detected in groundwater monitoring wells OBN2 and EW1 at 120 and 29 ppb, respectively. There are no downgradient sampling points from these two wells. Consequently the plume is not defined.
- Without knowing the extent of the plume, it cannot be determined the proximity of potential sensitive receptors to the plume boundary.
- **Media Specific Criteria: Petroleum Vapor Intrusion to Indoor Air**
 - The State Board indicated that a site-specific risk assessment for the vapor intrusion pathway has been prepared that demonstrates human health is protected to their satisfaction. There is no mention in this assessment of the presence and potential threat of vapor intrusion from the solvents nor does it state that they are specifically excluded. We find this to be misleading since groundwater is present between 1-9 feet, which increases the threat of vapor intrusion of the solvents. The potential threat of vapor intrusion has not been adequately assessed at this site.

The DEH understands that the State Board is considering closing this case. It appears that the State Board did not include important information in its evaluation of the site conditions. If the State Board only intends to close the fuel leak portion of the case, this is not clear and it is not clear that there are multiple issues existing at this site. The DEH believes that should the State Board proceed with closing the fuel leak portion of the release at this site that they should not allow the interceptor trench to be shut off and that the wells should remain for the investigation and remediation of the solvent plume present at the site.

If you have any questions, please contact our caseworker Mr. Gerald O'Regan at (408) 918-1974.

Sincerely,



Jim Blamey
Director

cc: George Cook, Santa Clara Valley Water District (gcook@valleywater.org)
Nathan King, Regional Water Quality Control Board (nking@waterboards.ca.gov)
File

Attachments: DEH email dated November 14, 2013
DEH email dated December 2, 2013

Balliet, Michael

From: Balliet, Michael
Sent: Thursday, November 14, 2013 8:26 AM
To: Lisa.Babcock@waterboards.ca.gov
Cc: 'walter.bahm@waterboards.ca.gov'; Bob Trommer (BTROMMER@waterboards.ca.gov); O'Regan, Gerald; Lee, Lani
Subject: Prudential Overall Supply - 1429 Milpitas Blvd. Milpitas - RSR - USTCUF 4002

Good Morning Lisa,

As we mentioned yesterday in the LOP roundtable, we would like to discuss this case with the CUF. We received the RSR and Notice for Public Comment and have some serious concerns regarding the proposed closure.

The site is a commingled solvent plume and in our opinion is disqualified from closure under the LTCP. The RSR does not appear to address the solvent constituents.

Please let me know the CUF availability next Monday (11/19/13) at 9am for a conference call.

Thank you for your assistance.

Michael Balliet
Program Manager
Solid Waste and Site Mitigation Programs

County of Santa Clara
Department of Environmental Health
1555 Berger Drive Suite #300
San Jose, CA 95112
(408) 918-1976 – Phone
(408) 280-6479 – Fax
www.ehinfo.org

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Balliet, Michael

From: Balliet, Michael
Sent: Monday, December 02, 2013 10:57 AM
To: Lisa.Babcock@waterboards.ca.gov
Cc: 'walter.bahm@waterboards.ca.gov'; Bob Trommer (BTROMMER@waterboards.ca.gov); O'Regan, Gerald; Lee, Lani
Subject: FW: Prudential Overall Supply - 1429 Milpitas Blvd. Milpitas - RSR - USTCUF 4002

Good Morning Lisa,

I just wanted to follow up on our email from November 14th. Please let me know if the Fund would like to discuss this case as mentioned below.

Thank you for your assistance.

Michael Balliet
Program Manager
Solid Waste and Site Mitigation Programs

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