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January 3, 2014

Ms. Vivian Gomez-Latino  
State Water Resources Control Board  
1001 I Street  
P.O. Box 2231  
Sacramento, CA 95814

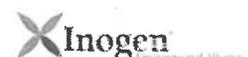
**Subject: Comment Letter – Circle K No. 2705760 Proposed Case Closure**  
*(Responses to RWQCB & ACWD Closure Comment Letters)*  
Former ConocoPhillips Station 2705760  
34867 Ardenwood Boulevard  
Fremont, California  
ACWD Case No. 0793

Dear Ms; Gomez-Latino:

Antea Group has prepared this letter to comment on letters of comment from the Alameda County Water District (ACWD) and the San Francisco Bay Regional Water Quality Control Board (SFBRWQCB) dated December 30, 2013 and December 23, 2013, respectively. The agencies submitted the letters in response to the State Water Resources Control Board's (SWRCB) *Notice of Opportunity for Public Comment* signed October 18, 2013, issued as part of the site closure process.

In paragraph six of the ACWD letter on pages two and three, the ACWD discussed the lack of source identification. The SFBRWQCB discussed the same point in bullet number two in their letter.

Subsequent to submittal of the closure request and petition, Antea Group reviewed historical records from the ACWD, Phillips 66 (formerly ConocoPhillips), the Fremont Fire Department (Certified Unified Program Agency) and Tanknology to assess the source of contamination per SWRCB request. Antea Group did not find verification of the 1998 release of 600 gallons of gasoline into the underground storage tank (UST) sump reported by a previous consultant; however, Antea Group did find documentation of sump failures on the newly installed tanks in 1995 and a product line failure and potential release in 1996. In September 1995 during testing of the newly installed tanks, one sump on the regular unleaded tank and two sumps on the premium unleaded tank leaked. The sumps were subsequently repaired and all passed upon re-testing. On January 4, 1996, Unocal Corporation/76 Products Company submitted an Underground Storage Tank Unauthorized Release (Leak)/Contamination Site Report; however, maintenance records document repairs and note that no actual leak or product loss occurred. The ACWD and SFBRWQCB did not open an environmental case based on the occurrence. Other than the 1995 and 1996 events, Antea Group found no record of system failure or potential release between the tank installation in 1995 and the banning of methyl tertiary butyl ether (MTBE) in California in 2003.



Recorded test failures suggest no release occurred, and that routine repairs were made. Records of repairs and/or successful re-testing followed all system failures documented prior to January 2008. None of the historical records reported verifiable product loss or contamination associated with any of the detected leaks. Site investigations in 2008 and 2011 suggest minor soil and groundwater impacts near the tanks and piping possibly due to small operational issues, but no significant or definitive release source has ever been demonstrated. In addition, the degree of contamination reported by ATC (the basis for this case) has never been corroborated by data obtained during subsequent investigations or quarterly sampling. Based on all this information, it is Antea Group's professional opinion that no significant release occurred prior to January 2008, and that inspection failures were mitigated through routine maintenance and continued inspections and testing.

In paragraphs two, five and six of their letter, the ACWD discussed the incomplete lateral and vertical definition of the plume to water quality objectives (WQOs) and notes that subsurface remediation has not been performed at the site. The SFBRWQCB discussed the same point in both bullet number one and bullet number two of their letter.

Antea Group continues to acknowledge that lateral and vertical definition of the MTBE plume is incomplete to WQOs; however, maximum concentrations at the site and in the site vicinity are relatively low, less than 1,000 micrograms per liter ( $\mu\text{g/L}$ ) and in Antea Group's professional opinion do not merit further lateral investigation or active remediation. In addition, it is Antea Group's opinion that concentrations do not warrant risking the potential introduction of contamination pathway into the deeper aquifer known to be a drinking water resource by further penetrating the Newark Aquiclude in an attempt to attain vertical definition. The California *Water Quality Control Policy for Low-Threat Underground Storage Tank Case Closure*, State Water Resources Control Board Resolution No. 2012-0016 (SB 2012-0016) does base closure on the definition of the plume to WQOs; however, it also allows for the granting of closure at regulatory discretion based on site-specific conditions.

In bullet number two of their letter, the SFBRWQCB states that additional investigation near the USTs is needed to verify concentrations immediately downgradient and resolve historical conflicts.

Although Delta Consultants (currently Antea Group) did not install well MW-5 immediately downgradient of ATC-2, which reported a concentration of 41,000  $\mu\text{g/L}$  MTBE in a grab groundwater sample, Antea Group installed MW-5R within 5 feet of ATC-2. Concentrations of MTBE in groundwater from MW-5R have consistently been below the WQO of 5  $\mu\text{g/L}$ , which is consistent with grab groundwater collected from nearby borings EB-3, EB-4 and EB-5. A grab groundwater sample from ATC-6 located immediately downgradient of the USTs reported a MTBE concentration an order of magnitude lower than that reported in ATC-2 and samples from well MW-10 located further downgradient have reported concentrations below or just slightly above the WQO over the last five quarterly sampling events. Antea Group contends that no further investigation of groundwater adjacent to or downgradient of the USTs is warranted.

If you have any questions or need additional information, please contact Douglas K. Umland at 408-606-4901.

Sincerely,



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Antea Group

Cc: Ms. Eileen Chen, Alameda County Water District  
Mr. George Lockwood, State Water Resources Control Board  
Mr. Steven Inn, Alameda County Water district  
Ms. Yuri Won, Regional Water Quality Control Board  
Ms. Tamarin Austin, Regional Water Quality Control Board  
Barbara Sieminski, Regional Water Quality Control Board