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# California State Senate

SENATOR  
**DARRELL STEINBERG**  
PRESIDENT PRO TEMPORE  
SIXTH SENATE DISTRICT

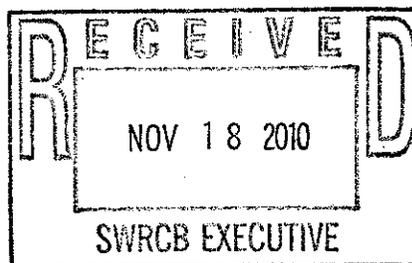
RULES COMMITTEE  
CHAIR

Public Comment  
UST Case Closure - RCH Corp  
Deadline: 11/19/10 by 12 noon



November 18, 2010

Charles R. Hoppin, Chair  
Francis Spivy-Weber  
Arthur G. Baggett, Jr.  
Tam M. Doduc  
Thomas Howard, Executive Director  
State Water Resources Control Board  
1001 I Street  
Sacramento, CA 95814



Dear Chairman Hoppin, Members, and Director Howard:

Over a year ago, my constituents residing near 7891 Stockton Boulevard brought to my attention that several underground gasoline tanks were the object of a study by Sacramento County Environmental Management Department (SCEMD) and the Central Valley Water Quality Control Board. Residents contacted me with their concerns that monitoring should continue to determine whether the water table had been contaminated. Most of these residents depend on well water for their household use.

Recently, the Central Valley Water Quality Control Board (Regional Board) decided that budget constraints precluded further study of the site, and issued a decision to close the this case. I disagree with this action, as the health and safety of my constituents are at stake.

Please see the attachment to this letter, which is a petition from the residents who are impacted by this decision. They have supplied well-researched and thorough technical comments regarding the proposed closure of the investigation, supporting your board's proposed denial of the closure. The neighbors' petition includes additional concerns regarding specific substances that may have migrated below the water table and could thus impact their wells.

Charles Hoppin, et al  
November 18, 2010  
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I urge your careful consideration of their petition and letter, and trust that you will continue to enforce measures that protect the health and safety of these residents. Thank you very much for your attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "Darrell Steinberg". The signature is written in a cursive, flowing style.

**DARRELL STEINBERG**  
President pro Tempore  
6<sup>th</sup> Senate District

Attachment

November 14, 2010

Chairman Charles R. Hoppin, Vic Chair Frances Spivy-Weber, Board Member Arthur Baggett, Jr.,  
Board Member Tam M. Doduc, Board Member Walter Pettit  
State Water Resources Control Board  
1001 I Street  
Sacramento, CA 95814

**SUBJECT: UST CASE CLOSURE, PETITION OF RCH CORPORATION, 7891  
STOCKTON BOULEVARD, SACRAMENTO**

In response to your Notice Of Opportunity For Public Comment On The Proposed Denial Of Underground Storage Tank Case Closure For RCH Corporation, 7891 Stockton Boulevard, Sacramento, we, the residents of Victory Avenue, Robinette Road, Lenhart Road, and Stevenson Avenue offer the following comments:

1. We are extremely gratified that the State Water Resources Control Board (SWRCB) staff has recommended denial of the case closure for a site that has polluted the source of many of our water supply wells. We note that the SWRCB staff draft order requires the completion of a site assessment to address: "a. The extent to which groundwater affected by the Petitioner's unauthorized petroleum release migrated to depths greater than the screened intervals of the existing monitoring wells; and b. The vertical and lateral extent of MTBE and 1,2-DCA in groundwater down gradient of wells, MW-103 and MW-104."

We are also pleased that the draft order requires the sampling and analysis of groundwater from domestic supply wells within a 1,000-foot radius of the subject site.

We are, however, very concerned that the scope of the investigation in the area down gradient of MW-103 and MW-104 will be limited to only MTBE and 1,2-DCA. Both of these wells (and MW-9) are screened across the current water table (approximately 51 feet BGS) and while we concur with this recommendation, we ask that Total Petroleum Hydrocarbons as gasoline (TPHg), and Total Petroleum Hydrocarbons as diesel (TPHd) and Benzene, Toluene, Ethylbenzene, Xylenes (collectively known as BTEX) and Naphthalene be added to the analyte suite for delineation both in the shallow zone and in deeper zones.

Additionally, because MW-103, 104 or MW-9 do not intersect the historical water table (approximately 70 feet BGS) where free product is believed to be "trapped" by the rising water table, we request that additional lateral delineation of the extent of free product be determined in that zone.

Furthermore, we ask that our well-water be analyzed for TPHg, TPHd, and Naphthalene in addition to BTEX, MTBE, and 1,2-DCA. We understand that the analysis for BTEX,

MTBE, and 1,2-DCA includes TPHg, and Naphthalene and that little or no extra cost would be incurred by the Petitioner to include these additional analytes. We also understand that the TPHd could be included as an analyte for minimal cost.

2. We are very concerned with Section D of the draft Order (Page 8) which delays removal of free product from our water source. Given that the Petitioner has done no work to reduce the pollution other than groundwater monitoring and tank and soil removal since approximately 2004, we feel that it is crucial that free product removal as well as remediation of the dissolved constituents be implemented as soon as practicable, i.e. after the Regional Water Quality Control Board – Central Valley has reviewed the necessary feasibility study.

We object that the State Water Resources Control Board would restrict the Regional Board from protecting and restoring the water-bearing zones (aquifers) underlying the site that we depend on for our domestic supply.

3. The draft Order incorrectly describes the well construction for the onsite water supply well. The well was constructed using a cable tool using a driven casing. The 6-inch casing extends to 132 feet BGS, and a 5-inch liner extends this casing to 146 feet BGS. The total depth of the well is 201 feet – not “about 145 feet deep” as shown in the first paragraph of Page 4 of the draft Order. The well log is found on the Geotracker website. Thus this well is drawing water from the interval between 146 and 201 feet BGS and is cased off from the “free product” zone and the water-bearing zone located between 102 and 108 feet BGS. Use of the lack of contamination found in this well to argue that contamination has not reached deeper water-bearing zones is misleading at best.

In addition, please note that the consultant's use of wells with long well screens which intersect different lengths of the water column and in one case overlap is not a hydrologically sound argument that vertical gradients do not exist at the site (see Regional Board letter dated 28 September 2010).

4. We are very concerned with the SWRCB's staff's response to the Regional Board's comment No. 1 where it is surmised that additional free product removal at the Site would require additional corrective action at considerable cost. If, as stated on Page 2, the SWRCB's own Resolution 92-49 “directs that water affected by an unauthorized release attain either background water quality or the best water quality that is reasonable if background water quality cannot be restored.....Any alternative level of water quality less stringent than background must be consistent with the maximum benefit to the people of the state, not unreasonably affect current and anticipated beneficial use of affected water, and not result in water quality less than that prescribed in the water quality control plan for the basin within which the site is located....Resolution 92-49 does not require, however, that the requisite water quality be met at the time of site closure. Resolution No. 92-49 specifies compliance with cleanup goals and objectives within a reasonable time frame.....The Basin Plan specifies that the following narrative water quality objective for “Tastes and Odor”:...“Ground waters shall not contain taste or odor producing substances in concentrations that cause nuisance or adversely affect beneficial uses...” it would seem logical to us that the free product that will continue to dissolve and degrade our water resource should be removed as soon as practicable. The SWRCB staff's argument appears

to contradict the Board's own resolution and the Regional Board's Basin Plan for the Sacramento Valley

- 5. We are equally disturbed by the SWRCB's staff's response to the Regional Board's comment No. 3 that declining contaminant trends cannot be established for all site wells and that a prediction cannot be made of the time required to meet Water Quality Objectives. SWRCB staff indicate that "declining concentrations are not a requirement for case closure." If this is the case, it cannot be shown that Water Quality Objectives will be met within a reasonable amount of time. This requirement of Resolution 92-49 appears to be conveniently overlooked or disregarded by the professional engineers and geologists at the SWRCB. It seems pretty plain to us - the Petitioner is required to show that Water Quality Objectives will be met within a reasonable amount of time.

For a scientifically sound basis on which to close a site, one needs data. We have seen no data that microbes are present and consuming the contamination (such as dissolved oxygen concentrations versus time - is there sufficient dissolved oxygen to sustain microbial populations? Or sulfate, manganese, iron and nitrate concentrations versus time?). These indicators of natural attenuation are discussed in the Natural Attenuation Section of new DRAFT LUFT manual.

Again, we are very gratified that your staff has recommended denial of the Petition to grant closure to 7891 Stockton Boulevard, especially when such high levels of contamination remain, including free product. This contamination will continue to threaten our water supply until cleaned up. We urge you to include our comments in the record and take the additional steps we have outlined to safeguard the quality of our water supply.

We ask that you include the concerns we have listed above in the Final Order.

Sincerely,  
*I do not want to closed the truck stop.*

*Elaine Lee*  
Signature

Elaine Lee 11-14-10  
Printed Name Date

7716 Victory ave Sacto Ca 95828  
Address

*Chester Lee*  
Signature

Chester Lee 11-14-10  
Printed Name Date

7716 Victory ave Sacto Ca 95828  
Address

VERA STEPHENS  
Signature

VERA STEPHENS  
Printed Name Date 11-19-10

7812 STEVENSON AVE SACR 95825  
Address

FREDERICK J OTIS  
Signature

FREDERICK OTIS  
Printed Name Date

7521 VICTORY AVE. SACRAMENTO CA 95828  
Address

[Signature]  
Signature

RANDY BRATZER 11-19-10  
Printed Name Date

7805 VICTORY  
Address

[Signature]  
Signature

WARNER STAFFOR: 14 NOV 2010  
Printed Name Date

7624 VICTORY AVE  
Address

Peggy A. Stafford  
Signature

PEGGY A. STAFFOR NOV 17, 10  
Printed Name Date

7624 VICTORY AVE. SACR CA 95828  
Address

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name Date

\_\_\_\_\_  
Address