STATE OF CALIFORNIA

STATE WATER RESOURCES CONTROL BOARD

ORDER WQ 2016-0017-UST

In the Matter of Underground Storage Tank (UST) 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 CHIEF DEPUTY DIRECTOR:[1]

By this order, the Chief Deputy Director directs closure of the UST case at the site listed below, pursuant to section 25296.10 of the Health and Safety Code.[2] 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:

Chevron Environmental Management Company (Responsible Party)
Chevron #21-2247
8481 Westminster Boulevard, Westminster, Orange County
Orange County Health Agency, Case No. 00UT020

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 or Chief Deputy Director, may close a case or require the closure of a UST case. Closure of a UST case

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[1] 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. Pursuant to Resolution No. 2012-0061, the Executive Director has delegated this authority to the Chief Deputy Director.

[2] Unless otherwise noted, all references are to the California Health and Safety Code.

is appropriate where the 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=T0605999149

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:

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8481 Westminster Boulevard, Westminster, Orange County
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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 with other applicable water quality control policies and plans.

The unauthorized release from the UST consisted only of petroleum. This order directs closure for the petroleum UST case at the site. This order does not address non-petroleum contamination at the site, if non-petroleum contamination is present.

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 regulatory agency overseeing the UST case identified in Section II of this order 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 receipt of proper documentation from the responsible party that requirements in subparagraphs (1) and (2) of Paragraph (A) are complete, the regulatory agency that is responsible for oversight of the UST case identified in Section II of this order shall notify the State Water Board that the tasks have been satisfactorily completed.

D. Within 30 days of notification from the regulatory agency that the tasks are complete pursuant to Paragraph (C), 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.

E. 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.

F. 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.

Chief Deputy Director

2/17/2016

Date

UNDERGROUND STORAGE TANK (UST) CASE CLOSURE SUMMARY

Agency Information

Current Agency Name: Orange County Health Care Agency (Orange County), Division of Environmental Health	Address: 1241 E. Dyer Road, Suite 120 Santa Ana, CA 92705-5611
Current Agency Caseworker: Julie Wozencraft	Case No.: 00UT020

Case Information

UST Cleanup Fund Claim No.: NA	Global ID: T0605999149
Site Name: Chevron #21-2247	Site Address: 8481 Westminster Boulevard Westminster, CA 92683 (Site)
Responsible Party: Chevron Environmental Management Company Attention: Eugene Francisco	Address: 145 South State College Boulevard, Suite 400 Brea, CA 92821-5818
USTCF Expenditures to Date: $0	Number of Years Case Open: 15

URL: http://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T0605999149

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 case meets all of the required criteria of the Policy.

The Site was a petroleum service station from 1960 to 1984, and is currently occupied by an auto parts store and convenience market. The release at the Site was discovered in 1984 when concentrations of petroleum constituents were detected in soil during removal of five USTs (four 4,000 gallon gasoline tanks and one 550 gallon used oil tank) prior to redevelopment of the former facility. A case was opened for the release in June 2000. Soil investigations were reportedly conducted beginning in the 1980's, but these data were unavailable for review. Soil vapor extraction (SVE) was conducted from June 2006 through June 2009, and from March 2011 to December 2011. A total of 17,167 pounds of petroleum hydrocarbons were removed by the SVE system and recovery rates reached asymptotic levels during 2011. Confirmation soil borings were completed in January 2013 to evaluate the effectiveness of the SVE system.

Soil at the Site contains less than 100 milligrams per kilogram (mg/kg) of total petroleum hydrocarbons (TPH) in the upper five feet of the subsurface, except for one confirmation soil sample, CB-4-5, which contained 4,300 mg/kg. The CB-4 soil boring is about 70 feet from the building at the Site, and there are eight other soil borings that are closer that had less than

100 mg/kg of TPH in soil samples collected at five feet bgs or shallower. These data suggest there is a low risk of petroleum vapors migrating from soil to indoor air in the existing building.

The CB-4-5 soil sample had naphthalene at 100 J[1] mg/kg. This concentration is higher than the threshold of 45 mg/kg but is less than the threshold of 219 mg/kg in Table 1 of the Policy. All of the other confirmation soil samples, including the samples collected above (at 2.5 feet below ground surface [bgs]) and below (at 10 feet bgs) CB-4-5, were lower than the threshold for commercial/industrial land use. These data indicate the lateral and vertical distribution of the elevated concentration of naphthalene is limited in extent. The concentrations of the carcinogenic polyaromatic hydrocarbons in the confirmation soil samples were less than the threshold for commercial/industrial land use in Table 1 of the Policy. The Site is paved, which breaks the pathway and precludes the risk of accidental exposure through direct contact with the contaminated soil. The presence of residual contamination at the location and depth of CB-4-5 should be taken into account when issuing and executing building or other permits at the Site. Any construction crew performing subsurface work should anticipate dealing appropriately with environmental hazards.

The most recent groundwater levels were measured in September 2014 at 11 to 12 feet bgs. Groundwater has been impacted by petroleum hydrocarbons, and the plume of TPH as gasoline extends off site and may commingle with a petroleum plume from a separate UST case to the south of the Site. The maximum benzene concentration in groundwater has been less than 100 micrograms per liter in all monitoring wells since Third Quarter 2007. The benzene plume has decreased in areal extent from a maximum length of about 300 feet in 2010 to less than 25 feet in September 2014. During this last monitoring event, benzene was detected in only two of the thirteen monitoring wells at concentrations above the detection limit, but below the reporting limit. Methyl tertiary butyl ether has not been detected or has been present at concentrations above the detection limit, but below the reporting limit since groundwater monitoring began in 2001.

Remaining petroleum constituents are limited, stable, and decreasing. Additional assessment would be unnecessary and will not likely change the conceptual model. Any remaining petroleum constituents do not pose significant risk to human health, safety, and the environment under current conditions.

Rationale for Closure under the Policy

- General Criteria – Site **MEETS ALL EIGHT GENERAL CRITERIA** under the Policy.
- Groundwater Media-Specific Criteria – Site meets the criteria in **Class 1**. The contaminant plume that exceeds water quality objectives is less than 100 feet in length. There is no free product. The nearest existing water supply well or surface water body is greater than 250 feet from the defined plume boundary.
- Petroleum Vapor Intrusion to Indoor Air – The case meets Policy **Criteria 2 (a), Scenario 3**. As applicable, the extent of the bioattenuation zone, oxygen concentrations in soil gas, concentrations of TPH as gasoline and diesel combined in soil, and dissolved concentrations of benzene in groundwater meet the Policy.

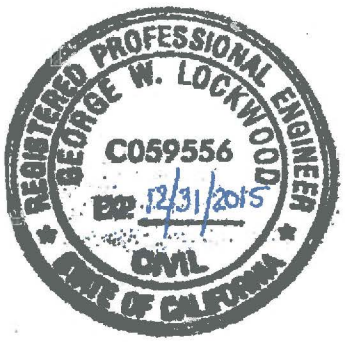
[1] The J designation indicates the concentration in the sample was an estimated quantitation between the method detection limit and the reporting limit.

- Direct Contact and Outdoor Air Exposure – Site meets **Criteria 3 (a)**. Maximum concentrations of petroleum constituents in soil from confirmation soil samples 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

9/24/2015

George Lockwood, PE No. 59556
Senior Water Resource Control Engineer

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