

**From:** Becky Steinbruner [<mailto:ki6tkb@yahoo.com>]

**Sent:** Sunday, July 09, 2017 1:50 AM

**To:** Olson, Tammie@Waterboards <[Tammie.Olson@Waterboards.ca.gov](mailto:Tammie.Olson@Waterboards.ca.gov)>

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**Subject:** Please Re-Open Aptos Village Project UST Case

Dear Ms. Olson,

Please include the following letter in the Agenda Packet for the Regional Water Quality Control Board's consideration during the meeting scheduled for July 13-14 in Watsonville.

Thank you very much.

Sincerely,

Becky Steinbruner

831-685-2915

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Dear State Regional Water Quality Control Board,

I am writing to respectfully ask that you consider re-opening the Aptos Village Project UST Case that was hastily closed in June, 2016 by the Santa Cruz County Environmental Health Agency for the multiple illegal actions involving an underground storage tank (UST) committed by Barry Swenson Builder and Santa Cruz Underground Paving (SCUP) in March, 2016.

Although the Environmental Health Agency served the developer, Barry Swenson Builder, with Enforcement Order 44-16-001 on July 26, 2016, citing five violations of Title 22 Health and Safety Code, and imposed penalties, the real issue of potential soil and groundwater contamination persists and possibly impacts the new adjacent Granite Way Well under development by Soquel Creek Water District. The true UST location was never sampled or remediated and therefore, the plume of diesel and gasoline-related contaminants remains a potential source of groundwater pollution. There were never any groundwater "punch tests" conducted in the UST contamination area before the case was closed to ensure the shallow groundwater was not affected by the UST. The 5,000 metal tank had possibly been leaking for a very long time because it was associated with the historic Lam-Mattison Apple Dryer and Vinegar Works at the site in the early 1900's.

You may view the Enforcement Order 44-16-001 at:

<http://docs.scceh.com/FortisPortal/DisplayQueryPrompts.aspx?Query=All%20programs&QuerySet=Counter%20Queries&Database=Environmental%20Health&User=EnvPublicWeb&Password=EnvPublicWeb>

It has been pointed out to Santa Cruz County government officials by a local professional hydrologist, geologist and engineering geologist expert that the Low Threat Case Closure was irregular. In addition to that expert's analysis below, he testified publicly that there is significant cause to dismiss several critical aspects of the report submitted by the developer's consultant, EnviroAssets.

He wrote:

Regarding the report "UNDERGROUND STORAGE TANK REMOVAL REPORT" June 2016, Enviroassets.

In order to close a site under the conditions that can be characterized as a low. A conceptual site model that assesses the nature, extent, and mobility of the release has been developed;

The report concluded that the leak/spill site was classified as a “low-threat” site; that it conformed to the State Water Board’s “ Low Threat UnderGround Storage Tank Case Closure Policy. (<< [http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/resolutions/2012/rs2012\\_0016atta.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2012/rs2012_0016atta.pdf) >>).

However, it did not conduct the investigation as required of the Policy.

(1. The Policy criteria requires that a conceptual model of the site conditions and environment be made. This was not done in any meaningful fashion. A significantly flawed interpretation of the site hydrogeology was submitted as part of the report’s discussion.

The conceptual model, so-called in the report, states that it assumes that groundwater is greater than 120 feet below ground surface. The report explains that this assumption is made because another investigation made a similar report. The other investigation was located at a gas station to the north of this facility, was 60 feet higher elevation, and is a half mile distant. Because the terrain is irregular, the two facilities separated by a creek and canyon, the comparison is erroneous.

The conceptual model is in the report flawed, because it assumes a depth to groundwater of 120 feet below ground surface or greater. However, the elevation of the Aptos leak site is at 110 feet above mean sea level (msl); the bottom of the excavation approximately 90 feet msl, and the 2 creeks on either side of the of the site are perennial streams (USGS solid blue line) and therefore recharged by groundwater year-around. The beds of those creeks between 40 and 60 feet above mean sea level. The site is about midway between the two creeks, consequently the standing water level of groundwater will be significantly above the level of the constant streams levels.

Given that the subsurface material are silt and sand, as described in the report, it means the subsurface materials are highly to moderately conductive of groundwater flow. Therefore, the threat to groundwater is greater than erroneously concluded in the report.

At the very least, the report deficiencies must be addressed and all the requirements of the Policy be met before the site can be closed.

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Please consider re-opening the Aptos Village Project UST contamination case, issuing an order that developer Barry Swenson Builder be required to sample the true UST location soils under direct supervision of Santa Cruz County Environmental Health Hazardous Materials / UST Specialist Mr. John Gerbrandt, and that punch tests of area groundwater be conducted to ensure the contamination is fully remediated. I ask this for the health and safety of the Aptos Community and local environment.

Please feel free to contact me for further information.

Sincerely,  
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