November 14, 2014

Vivian Gomez-Latino
State Water Resources Control Board
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USTClosuresComments@waterboards.ca.gov

COMMENTS ON PROPOSED UNDERGROUND STORAGE TANK CASE CLOSURE PURSUANT TO HEALTH AND SAFETY CODE SECTION 25296.40 AND THE LOW-THREAT UNDERGROUND STORAGE TANK CASE CLOSURE POLICY - AMERICAN HONDA MOTOR CO., INC., 1919 TORRANCE BLVD., TORRANCE, LOS ANGLES COUNTY (LOS ANGELES REGIONAL WATER BOARD CASE ID # 905010198)

Dear Ms. Gomez-Latino:

The Los Angeles Regional Water Quality Control Board (Regional Water Board) has reviewed the State Water Resources Control Board (State Water Board) underground storage tank (UST) Cleanup staff's Draft Order and UST Case Closure Summary for the above-referenced site (Site). State Water Board UST Cleanup staff prepared the Draft Order and UST Case Closure Summary in response to a petition for site closure filed by American Honda Motor Co., Inc. (Petitioner), the responsible party of the Site, on September 20, 2007. On December 13, 2007 and April 16, 2008, the Regional Water Board provided comments to the State Water Board on the petition explaining why closure of the Site is not warranted.

The Regional Water Board maintains that closure of the site is not warranted based on the reasons explained in its previous comments, as well as the reasons below based on the purported facts and rationale in the Draft Order and UST Case Closure Summary recommending a low-threat closure of the Site.

Regional Water Board Comments on the Draft Order and UST Case Closure Summary

The following are the Regional Water Board's comments on excerpts of the Draft Order and UST Case Closure Summary.

Excerpt from Page 3 of the Draft Order:

1. There are sufficient data to determine that the Petitioner's unauthorized release, considered separately, meets all of the specified criteria of the State Water Board's Low-Threat Closure Policy. Petitioner's investigation of the release is adequate to provide sufficient information to evaluate whether Petitioner's individual release meets case

closure criteria. The Conceptual Site Model upon which the evaluation of the case has been made is described in the UST Case Closure Summary.

Regional Water Board Comments:

The Regional Water Board disagrees. There currently is insufficient data to determine that the Petitioner's unauthorized release, considered separately, meets all of the specified criteria of the Low-Threat Closure Policy (Policy). To date, the Petitioner has not completed a site investigation as directed by the Regional Water Board to adequately characterize site conditions of soil and groundwater impacts beneath the Site. As such, the Petitioner has not provided sufficient information for either the Regional Water Board or the State Water Board to evaluate for a low-threat closure.

Since January 2004, when the release(s) of petroleum hydrocarbons from the UST system at the Site was initially discovered, only two site assessments have been conducted at the Site. During the UST removal and replacement activities between January and March 2004, five soil borings (HT320-5K-B1, HT320-5K-B2, HT320-10K-B1, HT320-10K-B2, and LF5K-B2A) were drilled to a maximum depth of 75 feet below ground surface (bgs) at the Site. Soil samples taken from these borings detected a maximum concentration of 7.3 milligrams per kilograms (mg/kg) of methyl tertiary butyl ether (MTBE). Soil analytical data demonstrated a vertical distribution of MTBE detection from 20 to 35 feet below ground surface (bgs) in all borings, and from 20 to 75 feet bgs in boring LF5K-B2A, the only boring drilled to 75 feet bgs beneath the former 5,000-gallon UST.

In November 2007, three soil borings (LFSB-1, LFSB-2, and LFMW-1) were drilled at the Site to a maximum depth of 75 feet bgs. Boring LFMW-1, located at about 10 feet east of the former 5,000-gallon UST, was converted into a groundwater monitoring well. Soil samples taken from the borings detected up to 1.8 mg/kg of total petroleum hydrocarbons as gasoline (TPHg) and 0.25 mg/kg of MTBE. Soil analytical data once again demonstrated a vertical distribution of MTBE detection from 20 to 70 feet bgs in LFMW-1. Groundwater samples taken from well LFMW-1 showed 86,000 µg/L of TPHg, 5,100 µg/L of benzene, 470 µg/L of MTBE, and 66 µg/L of tert-butyl alcohol (TBA).

Results of the above-mentioned two site assessments conducted at the Site demonstrate that release(s) of petroleum hydrocarbons occurred at multiple locations of the Site, and have already impacted the groundwater beneath the Site. Since only one groundwater monitoring well has been installed at the Site and has been sampled only once, both the Regional Water Board and the State Water Board are unable to delineate the lateral extent of the MTBE plume in the groundwater and to determine if the plume is stabilized.

The Regional Water Board has previously acknowledged that a separate groundwater plume originating from an offsite source (the ExxonMobil Refinery site located upgradient from the Site at 3700 West 190th Street) may have migrated onto the Site. However, results of groundwater monitoring events conducted by ExxonMobile have shown that the groundwater plume originated from the ExxonMobile site contains primarily no MTBE. Therefore the MTBE detected in the groundwater beneath the Site is resulted from the past unauthorized releases at the Petitioner's Site. The MTBE plume attributed to the Petitioner's Site needs to be characterized by the Petitioner, who is the responsible party of the Site.

Therefore, additional groundwater monitoring wells are needed to adequately delineate the lateral extent of the MTBE plume in the groundwater and additional sampling events must be conducted to assess the stability of the MTBE plume.

The Regional Water Board has required the Petitioner to conduct additional site assessment activities that will assist the Regional Water Board to adequately characterize the conditions of the soil and the groundwater beneath the Site. The Regional Water Board has told the Petitioner that as soon as the results of the additional site assessment are received, the Board would conduct a low-threat closure evaluation for the Site. To date, the Petitioner has failed to comply with Regional Water Board requirements.

Excerpt from Pages 3-4 of the Draft Order:

2. Based on the data for the Petitioner's release, corrective actions performed for the separate release ensure the protection of human health, safety, and the environment. Based on the State Water Board's technical analysis described in UST Case Closure Summary, the residual petroleum constituents that can be attributed to the release from Petitioner's UST system meet Policy criteria and Petitioner's individual release would be eligible for case closure. The affected groundwater is not currently being used as a source of drinking water or for any other designated beneficial use, and it is highly unlikely that the affected groundwater will be used as a source of drinking water or for any other beneficial use in the foreseeable future. Remaining petroleum constituents that can be attributed to Petitioner's release are limited, stable and declining. Additional assessment/monitoring will not likely change the conceptual model. Any remaining petroleum constituents that can be attributed to Petitioner's release pose a low risk to human health, safety, and the environment.

Regional Water Board Comments:

As mentioned above, due to the insufficient data of the soil and groundwater conditions at the Site, the Regional Water Board disagrees that the releases that occurred at the Site are limited, stable, and declining. Additional site assessment and monitoring data are needed to adequately delineate the extent of the groundwater plume, and to determine if the plume is stable or declining.

Excerpt from Page 4 of the Draft Order:

3. Petitioner's case is consistent with the Low-Threat Closure Policy. The Petitioner's site meets all the General Criteria and all the applicable Media-Specific Criteria, as described in the UST Case Closure Summary.

Regional Water Board Comments:

The Regional Water Board disagrees. The Site does not meet the following criteria pertaining to the Policy:

- General Criteria

The UST Case Closure Summary states that the Site meets all eight general criteria under the Policy. This is incorrect. The Site does not meet criterion "e," which states that a conceptual site model that assesses the nature, extent, and mobility of the release has been developed.

As mentioned above, only one groundwater monitoring well has been installed at the Site and the well has been sampled only once. Analytical data from the well are not sufficient to assess the extent and the mobility of the MTBE release from the former USTs at the Site, or to establish a site conceptual model for the purpose of evaluating the Site for a low-threat closure.

- Groundwater Media-Specific Criteria

Pursuant to the Policy, "If groundwater with a designated beneficial use is affected by an unauthorized release, to satisfy the media-specific criteria for groundwater, the contaminant plume that exceeds water quality objectives must be stable or decreasing in areal extent, and meet all of the additional characteristics of one of the five classes of sites listed [in the Policy]." As an initial matter, as explained above, there is currently insufficient data to determine that the groundwater plume is stable or decreasing in areal extent.

In addition, the UST Case Closure Summary states that the Site meets the criterion in Class 5. As explained below, the Regional Water Board disagrees and contends that the Site does not meet *any* of the five classes of criteria under the Policy:

(1)a. It has not been determined that the contaminant plume that exceeds water quality objectives is less than 100 feet in length. The Site has only one well and therefore both the Regional Water Board and the State Water Board are unable to determine the length of the MTBE plume.

(2)a. It is has not been determined that the contaminant plume that exceeds water quality objectives is less than 250 feet in length. The Site has only one well and therefore both the Regional Water Board and the State Water Board are unable to determine the length of the MTBE plume.
(2)d. The dissolved concentration of benzene is more than 3,000 µg/L. In November 2007, 5,100 µg/L of benzene were detected in the groundwater samples taken from well LFMW-1 at the Site.

(3)a. It has not been determined that the contaminant plume that exceeds water quality objectives is less than 250 feet in length. The Site has only one well and therefore both the Regional Water Board and the State Water Board are unable to determine the length of the MTBE plume.
(3)c. Due to the lack of data, it cannot be determined at the present time that the plume has been stable or decreasing for a minimum of five years.

(4)a. It has not been determined that the contaminant plume that exceeds water quality objectives is less than 1000 feet in length. The Site has only one well and therefore both the Regional Water Board and the State Water Board are unable to determine the length of the MTBE plume.
(4)d. The dissolved concentration of benzene is more than 3,000 µg/L. In November 2007, 5,100 µg/L of benzene were detected in the groundwater samples taken from well LFMW-1 at the Site.

(5) Due to the lack of data, the State Water Board is unable to determine, based on an analysis of site-specific conditions that under current and reasonably anticipated near-term future scenarios, the contaminant plume (attributable to Petitioner's UST system release) poses a low-threat to human health and safety and to the environment and water quality objectives will be achieved within a reasonable time frame. As mentioned above, the available site assessment data pertaining to the Site are not sufficient for either the Regional Water Board or the State Water Board to assess the extent and the mobility of the MTBE release from the former USTs at the Site, and to determine that the MTBE plume will pose a low-threat to human health, safety, and to the environment, or to determine that water quality objectives will be achieved within a reasonable time frame.

Conclusion

As demonstrated by the above Regional Water Board comments on the Draft Order and UST Case Closure Summary, the Site does not meet the criteria of the Policy. As a result, it is premature for the State Water Board to close the Site pursuant to the Policy at this time. The Regional Water Board therefore requests that the State Water Board not issue the Draft Order.

In addition, in numerous meetings and correspondence with the Petitioner, the Regional Water Board has indicated that it is willing to work with the Petitioner to conduct a limited site assessment in order to provide the necessary minimum data for the Regional Water Board to evaluate a low-threat closure for the Site. To date, the Petitioner has not only failed to comply with Regional Water Board requirements, but has expressed unwillingness to cooperate with the Regional Water Board's need for sufficient data.

Please contact Dr. Yi Lu at (213) 576-6695 or Yi.Lu@waterboards.ca.gov if you have any questions regarding this matter.

Sincerely,

Samuel Unger

Samuel Unger, P.E.
Executive Officer

cc:

See list of interested parties

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