

State Water Resources Control Board

CERTIFIED MAIL: 7002 2410 0003 5053 4297
Return Receipt Requested

Paul Oil Company, Inc.
Attn: Mark Paul
P.O. Box 248
Oakdale, CA 95361

NOTICE OF OPPORTUNITY FOR PUBLIC COMMENT

UNDERGROUND STORAGE TANK CLEANUP FUND (FUND), CASE CLOSURE
RECOMMENDATION PURSUANT TO HEALTH AND SAFETY CODE SECTION
25299.39.2: AND THE STATE WATER RESOURCES CONTROL BOARD LOW-THREAT
UNDERGROUND STORAGE TANK (UST) CASE CLOSURE POLICY
CLAIM NUMBER: 17300; SITE ADDRESS: 524 SIERRA AVE., OAKDALE, CA 95361

By this letter, as UST Cleanup Fund Manager, I am informing you of my intent to recommend closure of your UST cleanup case to the State Water Resources Control Board (State Water Board). This matter will be presented to the Executive Director of the State Water Board for consideration. Written comments may be submitted as described below.

NOTICE IS HEREBY GIVEN THAT the State Water Board will accept comments on the proposed UST case closure for Stanislaus County Environmental Health Department case number 168, 524 Sierra Avenue, Oakdale, CA 95361.

Health & Safety Code section 25299.39.2, subdivision (a)(1) requires the Fund Manager to notify UST owners or operators who have a Letter of Commitment (LOC) that has been in active status for five or more years and to review the case history of these sites on an annual basis unless otherwise notified by the UST owner or operator. This process is called the "5-Year Review." Effective January 1, 2013, Health & Safety Code section 25299.39.2, subdivision (a)(1)(A), provides that the Fund Manager's determination that closure of the tank case is appropriate shall be documented in a review summary report provided to the regulatory agency. In addition, Health & Safety Code section 25299.39.2 further states that the Fund Manager, with approval of the UST owner or operator, may recommend regulatory case closure to the State Water Board. The State Water Board may close or require the closure of any UST case.

Therefore the above-referenced case may be closed by the Executive Director of the State Water Board. Pursuant to State Water Board Resolution No. 2012-0061, the Executive Director of the State Water Board may close or require closure of cases that meet the criteria specified in the State Water Board's Low Threat Underground Storage Tank Case Closure Policy (Low-Threat Closure Policy) adopted by State Water Board Resolution No. 2012-0016.

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE OFFICER

Having obtained the owner/operator's approval, and pursuant to Health & Safety Code section 25299.39.2, subdivision (a)(1), the UST Cleanup Fund Manager recommends closure of the above-referenced UST Case. Enclosed is a copy of the UST Case Closure Review Summary Report for the UST case. This Case Closure Review Summary Report contains information about the UST case and forms the basis for the UST Cleanup Fund Manager's determination that case closure is appropriate and recommendation to the State Water Board for UST case closure. A copy of the Case Closure Review Summary Report has been provided to the owner/operator, environmental consultant of record, the local agency that has been overseeing corrective action, the local water purveyor, and the water district specified by the Low-Threat Closure Policy and Health & Safety Code section 25299.39.2, subdivision (a)(1). Notification has been provided to all entities that require notice as specified in the Low-Threat Closure Policy.

The Fund Manager determination that case closure is appropriate triggers the provision in Health and Safety Code section 25299.39.2, subdivision (a)(4) which states that the regulatory agency shall not issue a corrective action directive or enforce an existing corrective action directive for the tank case until the State Water Board issues a decision on the closure of the tank case, with limited exceptions.

Finally, the Fund Manager recommendation for case closure triggers provisions in Health & Safety Code section 25299.39.2, subdivision (a)(2) requiring the State Water Board to limit reimbursement of any correction action costs incurred after the date of this letter to \$10,000 per year, excepting special circumstances.

SUBMISSION OF WRITTEN COMMENTS

Written comments on the Case Closure Review Summary Report to the State Water Board **must be received by 12:00 Noon on XXXX, 2013**. Please provide the following information in the subject line: "**Comment Letter – Paul Oil Company Case Closure Summary.**"

Comments must be addressed to:

Mr. Andrew Cooper
State Water Resources Control Board
1001 I Street, 16th Floor
P.O. Box 100
Sacramento, CA 95814

Comments by email must be addressed to: USTClosuresComments@waterboards.ca.gov

Please direct questions about this notice to Bob Trommer, UST Cleanup Fund, at (916) 341-5684 (btrommer@waterboards.ca.gov) or Nathan Jacobsen, Staff Counsel at (916) 341-5181 (njacobsen@waterboards.ca.gov).



Lisa Babcock, P.G. 3939, C.E.G. 1235
UST Cleanup Fund Manager



Date

State Water Resources Control Board

REVIEW SUMMARY REPORT - CLOSURE

Agency Information

Agency Name: Stanislaus County Environmental Health Department (County)	Address: 3800 Cornucopia Way, Suite C Modesto, CA 95358
Agency Caseworker: Amber Minami	Case No.: 168

Case Information

USTCF Claim No.: 17300	GeoTracker Global ID: T0609900203
Site Name: Paul Oil Company	Site Address: 524 Sierra Avenue Oakdale, CA 95361
Responsible Party: Paul Oil Company, Inc. Attn: Mark Paul	Address: PO Box 248 Oakdale, CA 95361
USTCF Expenditures to Date: \$275,433	Number of Years Case Open: 21

URL: http://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T0609900203

Summary

The Low-Threat Underground Storage Tank (UST) 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. A summary evaluation of compliance with the Policy is shown in **Attachment 1: Compliance with State Water Board Policies and State Law**. The Conceptual Site Model upon which the evaluation of the case has been made is described in **Attachment 2: Summary of Basic Case Information (Conceptual Site Model)**. Highlights of the case follow:

The Site is an active warehouse in Oakdale. An unauthorized leak was reported in December 1991. No active remediation has been conducted. Since 1994, five groundwater monitoring wells have been installed and monitored. According to groundwater data, water quality objectives have been achieved or nearly achieved for all constituents except methyl tert-butyl ether (MTBE) detected in two site wells MW-2 and MW-7.

The petroleum release is limited to the soil and shallow groundwater. According to data available in GeoTracker, there are no supply wells regulated by the California Department of Public Health or surface water bodies within 1,000 feet of the projected plume boundary. No other water supply wells have been identified within 1,000 feet of the projected plume boundary in files reviewed. Water is provided to water users near the Site by the City of Oakdale. The affected groundwater is not currently being used as a source of drinking water, and it is highly unlikely that the affected groundwater will be used as a source of drinking water in the foreseeable future. Other designated beneficial uses of impacted groundwater are not threatened, and it is highly unlikely that they will be, considering these factors in the context of the site setting. Remaining petroleum hydrocarbon constituents are limited and stable. Corrective actions have been implemented and additional corrective actions are not necessary. Any remaining petroleum hydrocarbon constituents do not pose a significant risk to human health, safety or the environment.

Rationale for Closure under the Policy

- General Criteria: The case meets all eight Policy general criteria.
- Groundwater Specific Criteria: The case meets Policy Criterion 1 by Class 4. The contaminant plume that exceeds water quality objectives is less than 1,000 feet in length. There is no free product. The nearest water supply well or surface water body is greater than 1,000 feet from the projected plume boundary. The dissolved concentrations of benzene and MTBE are each less than 1,000 µg/L.
- Vapor Intrusion to Indoor Air: This case meets Policy Criterion 2b. Although no document titled "Risk Assessment" was found in the files reviewed, a professional assessment of site-specific risk from potential exposure to petroleum constituents as a result of vapor intrusion found there to be no significant risk of petroleum vapors adversely affecting human health. The onsite building is an active scrap metal facility with multiple rollup doors that would prevent the accumulation of soil vapors in the building. In addition, the maximum benzene concentration in groundwater is less than 100 µg/L while the minimum depth to groundwater is greater than 5 feet. The Site is paved limiting vapor exposure.
- Direct Contact and Outdoor Air Exposure: This case meets Policy Criterion 3b. Although no document titled "Risk Assessment" was found in the files reviewed, a professional assessment of site-specific risk from potential exposure to residual soil contamination found that maximum concentrations of petroleum constituents remaining in soil will have no significant risk of adversely affecting human health. The Site is paved and accidental exposure to site soils is prevented.

Objections to Closure and Responses

According to the GeoTracker 09-42 Case Review page, the County opposes closure because:

- The extent of contamination has not been defined.
RESPONSE: The existing monitoring well network had adequately defined the extent of groundwater contamination.
- Water quality objectives have not been achieved.
RESPONSE: The Policy does not require that water quality objectives are achieved at the time of closure.
- Soil vapor survey must be conducted to assess the potential for soil vapor migration.
RESPONSE: The case meets Policy Criterion 2a by Scenario 3a.

Determination

Based on the review performed in accordance with Health and Safety Code Section 25299.39.2 subdivision (a), the Fund Manager has determined that closure of the case is appropriate.

Recommendation for Closure

Based on available information, residual petroleum hydrocarbons at the Site do not pose a significant risk to human health, safety, or the environment, and the case meets the requirements of the Policy. Accordingly, the Fund Manager recommends that the case be closed. The State Water Board is conducting public notification as required by the Policy. Stanislaus County has the regulatory responsibility to supervise the abandonment of monitoring wells.



Lisa Babcock, P.G. 3939, C.E.G. 1235



Date

Prepared by: Kirk Larson, P.G.

ATTACHMENT 1: COMPLIANCE WITH STATE WATER BOARD POLICIES AND STATE LAW

The case complies with the State Water Resources Control Board policies and state law. Section 25296.10 of the Health and Safety Code requires that sites be cleaned up to protect human health, safety, and the environment. Based on available information, any residual petroleum constituents at the Site do not pose significant risk to human health, safety, or the environment.

The case complies with the requirements of the Low-Threat Underground Storage Tank (UST) Case Closure Policy as described below.¹

<p>Is corrective action consistent with Chapter 6.7 of the Health and Safety Code and implementing regulations? The corrective action provisions contained in Chapter 6.7 of the Health and Safety Code and the implementing regulations govern the entire corrective action process at leaking UST sites. If it is determined, at any stage in the corrective action process, that UST site closure is appropriate, further compliance with corrective action requirements is not necessary. Corrective action at this site has been consistent with Chapter 6.7 of the Health and Safety Code and implementing regulations and, since this case meets applicable case-closure requirements, further corrective action is not necessary, unless the activity is necessary for case closure.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Have waste discharge requirements or any other orders issued pursuant to Division 7 of the Water Code been issued at this case?</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p>If so, was the corrective action performed consistent with any order?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA</p>
<p><u>General Criteria</u> General criteria that must be satisfied by all candidate sites:</p> <p>Is the unauthorized release located within the service area of a public water system?</p> <p>Does the unauthorized release consist only of petroleum?</p> <p>Has the unauthorized (“primary”) release from the UST system been stopped?</p> <p>Has free product been removed to the maximum extent practicable?</p> <p>Has a conceptual site model that assesses the nature, extent, and mobility of the release been developed?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>

¹ Refer to the Low-Threat Underground Storage Tank Case Closure Policy for closure criteria for low-threat petroleum UST sites.
http://www.waterboards.ca.gov/board_decisions/adopted_orders/resolutions/2012/rs2012_0016atta.pdf

<p>Has secondary source been removed to the extent practicable?</p> <p>Has soil or groundwater been tested for MTBE and results reported in accordance with Health and Safety Code Section 25296.15?</p> <p>Nuisance as defined by Water Code section 13050 does not exist at the Site?</p> <p>Are there unique site attributes or site-specific conditions that demonstrably increase the risk associated with residual petroleum constituents?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>
<p><u>Media-Specific Criteria</u> Candidate sites must satisfy all three of these media-specific criteria:</p> <p>1. Groundwater: 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:</p> <p>Is the contaminant plume that exceeds water quality objectives stable or decreasing in areal extent?</p> <p>Does the contaminant plume that exceeds water quality objectives meet all of the additional characteristics of one of the five classes of sites?</p> <p>If YES, check applicable class: <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input checked="" type="checkbox"/> 4 <input type="checkbox"/> 5</p> <p>For sites with releases that have not affected groundwater, do mobile constituents (leachate, vapors, or light non-aqueous phase liquids) contain sufficient mobile constituents to cause groundwater to exceed the groundwater criteria?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA</p>
<p>2. Petroleum Vapor Intrusion to Indoor Air: The site is considered low-threat for vapor intrusion to indoor air if site-specific conditions satisfy all of the characteristics of one of the three classes of sites (a through c) or if the exception for active commercial fueling facilities applies.</p> <p>Is the Site an active commercial petroleum fueling facility? Exception: Satisfaction of the media-specific criteria for petroleum vapor intrusion to indoor air is not required at active commercial petroleum fueling facilities, except in cases where release characteristics can be reasonably believed to pose an unacceptable health risk.</p> <p>a. Do site-specific conditions at the release site satisfy all of the applicable characteristics and criteria of scenarios 1 through 3 or all of the applicable characteristics and criteria of scenario 4? If YES, check applicable scenarios: <input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA</p>

<p>b. Has a site-specific risk assessment for the vapor intrusion pathway been conducted and demonstrates that human health is protected to the satisfaction of the regulatory agency?</p> <p>c. As a result of controlling exposure through the use of mitigation measures or through the use of institutional or engineering controls, has the regulatory agency determined that petroleum vapors migrating from soil or groundwater will have no significant risk of adversely affecting human health?</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA</p>
<p>3. Direct Contact and Outdoor Air Exposure: The Site is considered low-threat for direct contact and outdoor air exposure if site-specific conditions satisfy one of the three classes of sites (a through c).</p> <p>a. Are maximum concentrations of petroleum constituents in soil less than or equal to those listed in Table 1 for the specified depth below ground surface (bgs)?</p> <p>b. Are maximum concentrations of petroleum constituents in soil less than levels that a site specific risk assessment demonstrates will have no significant risk of adversely affecting human health?</p> <p>c. As a result of controlling exposure through the use of mitigation measures or through the use of institutional or engineering controls, has the regulatory agency determined that the concentrations of petroleum constituents in soil will have no significant risk of adversely affecting human health?</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> NA</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> NA</p>

ATTACHMENT 2: SUMMARY OF BASIC CASE INFORMATION (Conceptual Site Model)

Site Location/History

- The Site is a scrap metal yard and is bounded by businesses to the west and south, East A Street to the north, and North Sierra Avenue to the east. The surrounding land use is commercial.
- Since 1994, eight monitoring wells have been installed and monitored regularly.
- A Site map showing the location of the former USTs, monitoring wells, and groundwater level contours is provided at the end of this review summary (Ground Zero Analysis, 2013).
- Nature of Contaminants of Concern: Petroleum hydrocarbons only.
- Source: UST system.
- Date reported: December 1991.
- Status of Release: USTs repaired.

Tank Information

Tank No.	Size in Gallons	Contents	Closed in Place/ Removed/Active
1,2	8,300	Diesel	Active
3	8,000	Gasoline	Active
4-9	12,000	Gasoline	Active

Site Information

- GW Basin: San Joaquin Valley – Modesto.
- Beneficial Uses: Central Valley Regional Water Quality Control Board (Regional Water Board) Basin Plan lists agricultural, industrial service and process supply, and potentially municipal and domestic supply.
- Land Use Designation: Industrial.
- Public Water System: City of Oakdale.
- Distance to Nearest Supply Well: According to data available in GeoTracker, there are no public supply wells regulated by the California Department of Public Health within 1,000 feet of the projected plume boundary. No other water supply wells were identified within 1,000 feet of the projected plume boundary in the files reviewed.
- Distance to Nearest Surface Water: There is no identified surface water within 1,000 feet of the projected plume boundary.

Geology/Hydrogeology

- Stratigraphy: The Site is underlain by interbedded and intermixed sand, silt, and clay.
- Maximum Sample Depth: 51 feet below ground surface (bgs).
- Minimum Groundwater Depth: 49.73 feet bgs at monitoring well MW-3.
- Maximum Groundwater Depth: 59.03 feet bgs at monitoring well MW-6.
- Current Average Depth to Groundwater: Approximately 59 feet bgs.
- Saturated Zones(s) Studied: Approximately 50-64 feet bgs.
- Appropriate Screen Interval: Yes.
- Groundwater Flow Direction: Variable, ranges from north northeast to southwest.

Monitoring Well Information

Well Designation	Date Installed	Screen Interval (feet bgs)	Depth to Water (feet bgs) (08/03/12)
MW-1	January 1994	44-64	Dry
MW-2	January 1994	44-64	58.13
MW-3	September 2002	39-59	Dry
MW-4	September 2002	39-59	58.58
MW-5	November 2003	40-60	58.41
MW-6	November 2003	40-60	59.03
MW-7	January 2006	44-59	Dry
MW-8	January 2006	43-58	Dry

Remediation Summary

- Free Product: None reported in GeoTracker.
- Soil Excavation: Unknown.
- In-Situ Soil/Groundwater Remediation: None reported.

Most Recent Concentrations of Petroleum Constituents in Soil

Constituent	Maximum 0-5 feet bgs [mg/kg (date)]	Maximum 5-10 feet bgs [mg/kg (date)]
Benzene	NA	NA
Ethylbenzene	NA	NA
Naphthalene	NA	NA
PAHs	NA	NA

NA: Not Analyzed, Not Applicable or Data Not Available
 mg/kg: Milligrams per kilogram, parts per million
 <: Not detected at or above stated reporting limit
 PAHs: Polycyclic aromatic hydrocarbons

Most Recent Concentrations of Petroleum Constituents in Groundwater

Sample	Sample Date	TPHg (µg/L)	TPHd (µg/L)	Benzene (µg/L)	Toluene (µg/L)	Ethyl-Benzene (µg/L)	Xylenes (µg/L)	MTBE (µg/L)
MW-1	02/27/09	<50	NA	<0.5	<0.5	<0.5	<1	<0.5 ^a
MW-2	08/03/12	<50	<50	<0.5	<0.5	<0.5	<1	310
MW-3	02/27/09	<50	NA	<0.5	<0.5	<0.5	<1	<0.5 ^a
MW-4	01/20/11	<50	<50	<0.5	<0.5	<0.5	<1	<0.5 ^a
MW-5	01/20/11	<50	<50	<0.5	<0.5	<0.5	<1	<0.5 ^a
MW-6	01/20/11	<50	<50	<0.5	<0.5	<0.5	<1	<0.5 ^a
MW-7	01/20/11	<50	<50	<0.5	<0.5	<0.5	<1	82 ^a
MW-8	04/04/07	<50	<50	<0.5	<0.5	<0.5	<1	<0.5 ^a
WQOs	-	5	56	0.15	42	29	17	5

NA: Not Analyzed, Not Applicable or Data Not Available
 µg/L: Micrograms per liter, parts per billion
 <: Not detected at or above stated reporting limit
 TPHg: Total petroleum hydrocarbons as gasoline
 TPHd: Total petroleum hydrocarbons as diesel
 MTBE: Methyl tert-butyl ether
 WQOs: Water Quality Objectives, Regional Water Board Basin Plan
^a: Sample and analyzed for MTBE, 03/15/12

Evaluation of Current Risk

- Estimate of Hydrocarbon Mass in Soil: None reported.
- Soil/Groundwater tested for MTBE: Yes.
- Oxygen Concentrations in Soil Vapor: None reported.
- Plume Length: <250 feet, projected.
- Plume Stable or Decreasing: Yes.
- Contaminated Zone(s) Used for Drinking Water: No.
- Groundwater Risk from Residual Petroleum Hydrocarbons: The case meets Policy Criterion 1 by Class 4. The contaminant plume that exceeds water quality objectives is less than 1,000 feet in length. There is no free product. The nearest water supply well or surface water body is greater than 1,000 feet from the projected plume boundary. The dissolved concentrations of benzene and MTBE are each less than 1,000 µg/L.
- Indoor Vapor Risk from Residual Petroleum Hydrocarbons: Vapor Intrusion to Indoor Air: This case meets Policy Criterion 2b. Although no document titled "Risk Assessment" was found in the files reviewed, a professional assessment of site-specific risk from potential exposure to petroleum constituents as a result of vapor intrusion found there to be no significant risk of petroleum vapors adversely affecting human health. The onsite building is an active scrap metal facility with multiple rollup doors that would prevent the accumulation of soil vapors in the building. In addition, the maximum benzene concentration in groundwater is less than 100 µg/L while the minimum depth to groundwater is greater than 5 feet. The site is paved limiting vapor exposure.
- Direct Contact Risk from Residual Petroleum Hydrocarbons: This case meets Policy Criterion 3b. Although no document titled "Risk Assessment" was found in the files reviewed, a professional assessment of site-specific risk from potential exposure to residual soil contamination found that maximum concentrations of petroleum constituents remaining in soil will have no significant risk of adversely affecting human health. The Site is paved and accidental exposure to site soils is prevented.

