STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD

**ORDER WQ 2013-0079 – UST**

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**In the Matter of Underground Storage Tank Case Closure**

**Pursuant to Health and Safety Code Section 25299.39.2 and the Low Threat Underground Storage Tank Case Closure Policy**

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**BY THE EXECUTIVE DIRECTOR[1]:**

Pursuant to Health and Safety Code section 25299.39.2, the Manager of the Underground Storage Tank Cleanup Fund (Fund) recommends closure of the underground storage tank (UST) case at the site listed below.[2] The name of the Fund claimant, the Fund claim number, the site name and the applicable site address are as follows:

**Liem V. Nguyen**
**Claim No. 6653**
**Nguyen Property**
**960 King Road, San Jose**
**Santa Clara County Department of Environmental Health**

## I. STATUTORY AND PROCEDURAL BACKGROUND

Section 25299.39.2 directs the Fund manager to review the case history of claims that have been active for five years or more (five-year review), unless there is an objection from the UST owner or operator. This section further authorizes the Fund Manager to make recommendations to the State Water Resources Control Board (State Water Board) for closure of a five-year-review case if the UST owner or operator approves. In response to a recommendation by the Fund Manager, the State Water Board, or in certain cases the State Water Board Executive Director, may close a case or require the closure of a UST case. Closure of a UST case is appropriate where the corrective action ensures the protection of

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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.

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

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.

The Fund Manager has completed a five-year 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. A UST Case Closure Review Summary Report has been prepared for the case identified above and the bases for determining compliance with the Water Quality Control Policy for Low-Threat Underground Storage Tank Case Closures (Low-Threat Closure Policy or Policy) are explained in the Case Closure Review Summary Report.

**A. Low-Threat Closure Policy**

In State Water Board Resolution No. 2012-0016, the State Water Board adopted the 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 and 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 closure letter as specified in Health and Safety Code section 25296.10. The 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 closure letter or a Letter of Commitment, whichever occurs later, shall not be reimbursed unless specified conditions are satisfied. A Letter of Commitment has already been issued on the claim subject to this order and the respective Fund claimant, so the 365-day

timeframe for the submittal of claims for corrective action costs will start upon the issuance of the closure letter.

## II. FINDINGS

Based upon the UST Case Closure Review Summary Report prepared for the case attached hereto, the State Water Board finds that corrective action taken to address the unauthorized release of petroleum at the UST release site identified as:

**Claim No. 6653**

**Nguyen Property**

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 other water quality control policies and applicable water quality control plans.

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 Board in determining that the case should be closed.

The UST case identified above may be the subject of orders issued by the Regional Water Quality Control Water 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 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 closure letter, the Fund claimant 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 Fund claimant 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 Financial Assistance shall issue a closure letter consistent with Health and Safety Code section 25296.10, subdivision (g) and upload the closure letter and UST Case Closure Review Summary Report to GeoTracker.

E. As specified in Health and Safety Code section 25299.39.2, subdivision (a) (2), corrective action costs incurred after a recommendation of closure shall be limited to $10,000 per year unless the Board or its delegated representative agrees that corrective action in excess of that amount is necessary to meet closure requirements, or additional corrective actions are necessary pursuant to section 25296.10, subdivisions (a) and (b). 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 closure letter in order for the costs to be considered.

F. Any Regional Water Board or Local Oversight Program 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 Local Oversight Program Agency directive is inconsistent with this Order.

Thomas Howard
Executive Director

8/30/13
Date

# UST CASE CLOSURE REVIEW SUMMARY REPORT

## Agency Information

| | |
|---|---|
| Agency Name: Santa Clara County Department of Environmental Health (County) | Address: 1555 Berger Drive, Suite 300 San Jose, CA 95112 |
| Agency Caseworker: Gerald O'Regan | Case No.: 07S1E10H01f |

## Case Information

| | |
|---|---|
| USTCF Claim No.: 6653 | Global ID: T0605902236 |
| Site Name: Nguyen Property | Site Address: 960 King Rd, San Jose, CA 95116 |
| Responsible Party (RP): Liem V. Nguyen | Address: 4616 Thornton Way San Jose, CA 95111 |
| USTCF Expenditures to Date: $168,528 | Number of Years Case Open: 21 |

**URL:** http://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T0608505793

## 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. 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 petroleum fueling facility. An unauthorized release was reported in June 1985 during an inspection for a proposed tank reline. In 1985, three 10,000-gallon gasoline UST's were removed and replaced with three 10,000-gallon UST's. No active remediation has been conducted. Six monitoring wells have been installed since 1988. According to GeoTracker groundwater data, limited petroleum contamination consisting of total petroleum hydrocarbons as gasoline (TPH-g), methyl tert butyl ether (MTBE) and benzene, was detected in 2008 (last full round of groundwater monitoring uploaded to GeoTracker). According to groundwater data, water quality objectives have been achieved or nearly achieved for all constituents except for MTBE in one source area monitoring well.

The petroleum release is limited to the shallow soil and 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 250 feet of the defined plume boundary. No other water supply wells have been identified within 250 feet of the defined plume boundary in files reviewed. Water is provided to water users near the Site by the Santa Clara Valley Water District (GeoTracker).

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, and concentrations are decreasing. Corrective actions have been implemented and additional corrective actions are not necessary.

**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 1. The contaminant plume that exceeds water quality objectives is less than 100 feet in length. There is no free product, and the nearest water supply well or surface water body is greater than 250 feet from the defined plume boundary.
- Vapor Intrusion to Indoor Air – The case meets the Policy Exclusion for Active Station. Soil vapor evaluation is not required because the Site is an active commercial petroleum fueling facility.
- Direct Contact and Outdoor Air Exposure – This case meets Policy Criterion 3b. A professional assessment of site-specific risk from exposure shows that maximum concentrations of petroleum constituents in soil will have no significant risk of adversely affecting human health. The Site is paved and accidental exposure to site soils is prevented. As an active petroleum fueling facility, any construction worker working at the Site will be prepared for exposure in their normal daily work.

**Objections to Closure and Responses**

The County objects to UST case closure (April 17, 2013 letter) because:

- The horizontal and vertical extent of the petroleum hydrocarbon and MTBE plume are not defined in a downgradient direction.
  RESPONSE: MTBE concentrations above water quality objectives are decreasing and limited to one source area monitoring well, MW-1, based on 2010 data (most recent). The extent of the plume with petroleum hydrocarbon constituents above water quality objectives has been defined by the analytical results of non-detect in two downgradient wells, MW-3 and MW-4.
- An active production well is located 290 feet in a westerly direction.
  RESPONSE: The Policy Criterion 1 by Class 1 lists 250 feet from the defined plume boundary as the distance necessary to provide an adequate buffer. In addition, the only detection of petroleum hydrocarbons in a monitoring well is in monitoring well MW-1 in the source area.
- Soils have not been analyzed for naphthalene.
  RESPONSE: The Site is an active commercial petroleum fueling facility. The Site is paved and accidental exposure to site soils is prevented. As an active petroleum fueling facility, any construction worker working at the Site will be prepared for exposure in their normal daily work.

  Furthermore, the constituents of concern at the Site are gasoline-related constituents such as benzene and MTBE. The relative concentration of naphthalene in soil can be conservatively estimated using the published relative concentrations of naphthalene and benzene in gasoline. Taken from Potter and Simmons (1998), gasoline mixtures contain approximately 2 percent benzene and 0.25 percent naphthalene. Therefore, benzene can be directly substituted for naphthalene concentrations with a safety factor of eight. It is highly unlikely that naphthalene concentrations in the soil, if any, exceed the threshold.
- PAH analyses may be required if a waste oil UST was located on the Site. The County reviewed the project file and found no information to indicate a waste oil UST has been

- PAH analyses may be required if a waste oil UST was located on the Site. The County reviewed the project file and found no information to indicate a waste oil UST has been located at the Site. An evaluation of the Site and all historical documents should be completed to determine if a waste oil UST was ever located on the Site.
  RESPONSE: The County reviewed the project file and found no information to indicate a waste oil UST has been located at the Site. Fund staff has also found no information to indicate that a waste oil UST has been located at the Site.

**Determination**
Based on the review performed in accordance with Health & 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. The County has the regulatory responsibility to supervise the abandonment of monitoring wells.

Lisa Babcock 6/13/13

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

**Prepared by: Dayne Kendrick**

## 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]

| | |
|---|---|
| **Is corrective action consistent with Chapter 6.7 of the Health and Safety Code and implementing regulations?**<br>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. | ☒ Yes ☐ No |
| **Have waste discharge requirements or any other orders issued pursuant to Division 7 of the Water Code been issued at this case?** | ☐ Yes ☒ No |
| **If so, was the corrective action performed consistent with any order?**<br>There was an order issued for this case. The corrective action performed in the past is consistent with that order. Since this case meets applicable case-closure requirements, further corrective action under the order that is not necessary, unless the activity is necessary for case closure. | ☐ Yes ☐ No ☒ NA |
| **General Criteria**<br>General criteria that must be satisfied by all candidate sites: | |
| **Is the unauthorized release located within the service area of a public water system?** | ☒ Yes ☐ No |
| **Does the unauthorized release consist only of petroleum?** | ☒ Yes ☐ No |
| **Has the unauthorized ("primary") release from the UST system been stopped?** | ☒ Yes ☐ No |
| **Has free product been removed to the maximum extent practicable?** | ☒ Yes ☐ No ☐ NA |

[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

| | |
|---|---|
| **Has a conceptual site model that assesses the nature, extent, and mobility of the release been developed?** | ☒ Yes ☐ No |
| **Has secondary source been removed to the extent practicable?** | ☒ Yes ☐ No |
| **Has soil or groundwater been tested for MTBE and results reported in accordance with Health and Safety Code Section 25296.15?** | ☒ Yes ☐ No |
| **Nuisance as defined by Water Code section 13050 does not exist at the site?** | ☒ Yes ☐ No |
| **Are there unique site attributes or site-specific conditions that demonstrably increase the risk associated with residual petroleum constituents?** | ☐ Yes ☒ No |
| **<u>Media-Specific Criteria</u>**<br>Candidate sites must satisfy all three of these media-specific criteria:<br><br>**1. Groundwater:**<br>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: | |
| **Is the contaminant plume that exceeds water quality objectives stable or decreasing in areal extent?** | ☒ Yes ☐ No ☐ NA |
| **Does the contaminant plume that exceeds water quality objectives meet all of the additional characteristics of one of the five classes of sites?** | ☒ Yes ☐ No ☐ NA |
| If YES, check applicable class: ☒ **1** ☐ **2** ☐ **3** ☐ **4** ☐ **5** | |
| **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?** | ☐ Yes ☐ No ☒ NA |
| **2. Petroleum Vapor Intrusion to Indoor Air:**<br>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. | |
| **Is the site an active commercial petroleum fueling facility?**<br>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. | ☒ Yes ☐ No |

| | |
|---|---|
| **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?**<br>If YES, check applicable scenarios: ☐ 1 ☐ 2 ☐ 3 ☐ 4 | ☐Yes ☐ No ☒ NA |
| **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?** | ☐ Yes ☐ No ☒ NA |
| **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?** | ☐ Yes ☐ No ☒ NA |
| **3. Direct Contact and Outdoor Air Exposure:**<br>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). | |
| **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)?** | ☐ Yes ☐ No ☒ NA |
| **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?** | ☒ Yes ☐ No ☐ NA |
| **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?** | ☐ Yes ☐ No ☒ NA |

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

**Site Location/History**

- This Site is an active petroleum fueling facility and is located on the east corner of Lido Way and South King Road.
- The Site is bounded by South King Road to the southwest, Lido Way to the northwest, a parking lot to the northeast, and a restaurant to the southeast. Across South King Road to the southwest is Prusch Park, across Lido Way to northwest are apartments.
- A Site map showing the location of the existing USTs, monitoring wells and groundwater level contours is provided at the end of this closure review summary (WellTest, Inc., 2010).
- Nature of Contaminants of Concern: Petroleum hydrocarbons only.
- Source: UST system.
- Date reported: June 1985.
- Status of Release: USTs removed.
- Free Product: None reported since 1997. (Enviro Soil Tech Consultants, 2001, 2002)

**Tank Information**

| Tank No. | Size in Gallons | Contents | Closed in Place/ Removed/Active | Date |
|---|---|---|---|---|
| 1 - 3 | 10,000 | Gasoline | Removed | September 1985 |
| 4 - 6 | 10,000 | Gasoline | Active | -- |

**Receptors**

- GW Basin: Santa Clara Valley.
- Beneficial Uses: Regional Water Board basin Plan lists groundwater recharge, municipal and domestic supply.
- Land Use Designation: None Specified. Aerial photograph available on GeoTracker suggests commercial and public space with interspersed residential in the vicinity of the Site.
- Public Water System: Santa Clara Valley Water District.
- Distance to Nearest Supply Well: According to data available in GeoTracker, there are no California Department of Public Health regulated supply wells or other supply wells within 250 feet of this site. No other water supply wells were identified within 250 feet of the site in the files reviewed.
- Distance to Nearest Surface Water: There is no identified surface water within 250 feet of the site.

**Geology/Hydrogeology**

- Stratigraphy: The Site is underlain by clay, silts and sand.
- Maximum Sample Depth: 30 feet below ground surface (bgs).
- Minimum Groundwater Depth: 10.20 feet bgs at monitoring well MW-1.
- Maximum Groundwater Depth: 15.67 feet bgs at monitoring well MW-1.
- Current Average Depth to Groundwater: 11.50 feet bgs.
- Saturated Zones(s) Studied: Approximately 11 - 30 bgs.
- Appropriate Screen Interval: Yes.
- Groundwater Flow Direction: Northwest with an average gradient of 0.0014 feet/foot (ft/ft).

**Monitoring Well Information**

| Well Designation | Date Installed | Screen Interval (feet bgs) | Depth to Water (feet bgs) (03/10/2010) |
|---|---|---|---|
| MW-1 | May 1988 | 10 - 30 | 10.98 |
| STMW-2 | November 1991 | 12 - 27 | 11.57 |
| STMW-3 | November 1991 | 11 - 29 | 10.94 |
| STMW-4 | March 1992 | 10 - 28 | 12.32 |
| STMW-5 | March 1992 | 9 - 27 | 11.71 |
| STMW-6 | March 1992 | 8 - 26 | 11.51 |

**Remedial Summary**

- Free Product: Consultant bailed approximately 50 gallons of floating product from June 1996 to June 1997 in monitoring well MW-1. (Enviro Soil Tech Consultants, 2001, 2002)
- Soil Excavation: Contaminated soil removed during tank extraction in September 1985.
- In-Situ Soil Remediation: None reported.
- Groundwater Remediation: None reported.

**Most Recent Concentrations of Petroleum Constituents in Soil**

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

NA: Not Analyzed, Not Applicable or Data Not Available per GeoTracker
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**

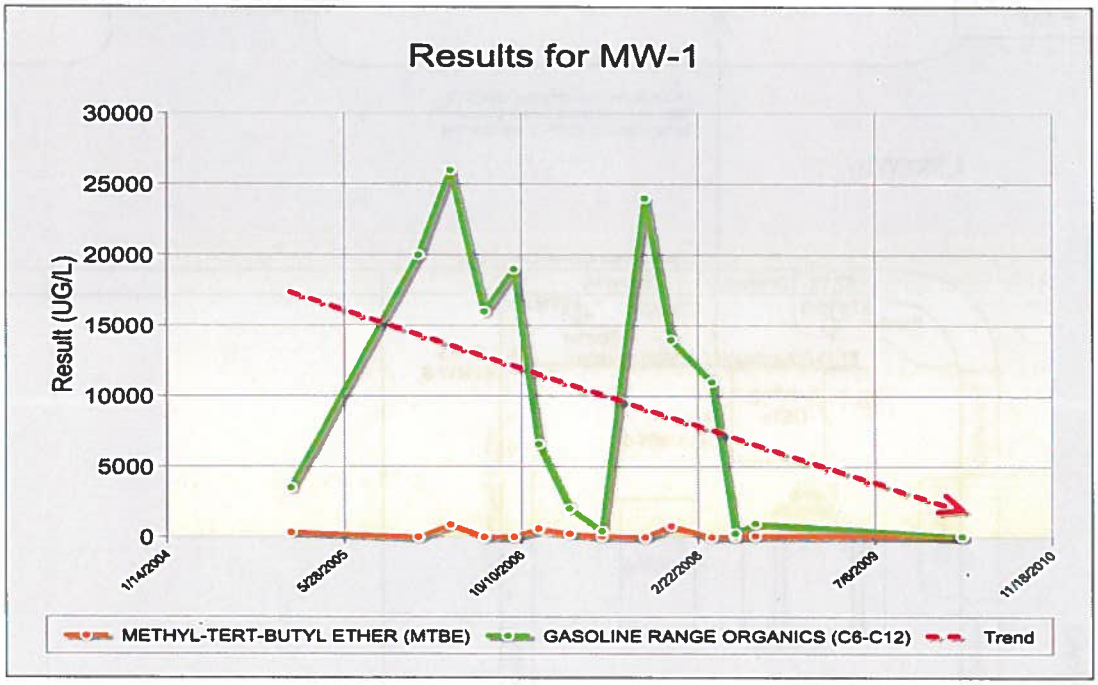
| Sample | Sample Date | TPHg (µg/L) | Benzene (µg/L) | Toluene (µg/L) | Ethyl-benzene (µg/L) | Xylenes (µg/L) | MTBE (µg/L) | TBA (µg/L) |
|---|---|---|---|---|---|---|---|---|
| MW-1 | 3/10/2010 | 61 | <0.5 | <0.5 | <0.5 | <1.0 | **53** | 16 |
| STMW-2 | 3/31/2008 | <50 | <0.5 | <0.5 | <0.5 | <0.5 | <0.5 | NA |
| STMW-3 | 6/5/2008 | <50 | <0.5 | <0.5 | 0.73 | 1.9 | **7.1** | NA |
| STMW-4 | 6/5/2008 | <50 | <0.5 | <0.5 | 1.1 | 0.54 | <5.0 | NA |
| STMW-5 | 3/31/2008 | <50 | <0.5 | <0.5 | <0.5 | <0.5 | <5.0 | NA |
| STMW-6 | 3/31/2008 | <50 | <0.5 | <0.5 | <0.5 | <0.5 | <5.0 | NA |
| **WQO** | **-** | **--** | **1** | **150** | **700** | **1750** | **5** | **1,200[a]** |

NS: Not sampled
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
TBA: Tert-butyl alcohol
WQO: Regional Water Board Basin Plan
--: Regional Water Board Basin Plan does not have numeric water quality objectives for TPHg
[a]: California Department of Public Health, Response Level

**Groundwater Trends**

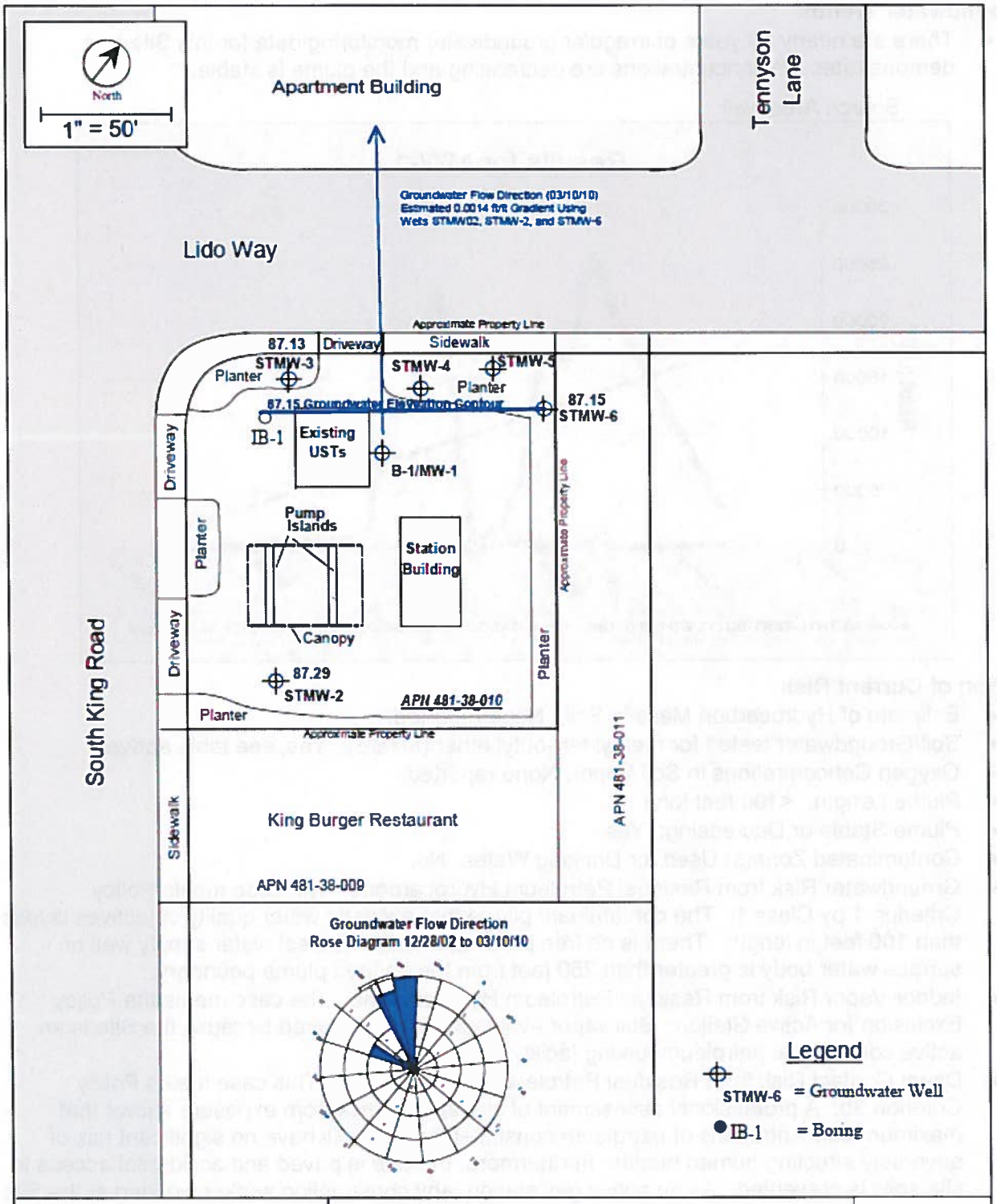
- There are nearly 20 years of irregular groundwater monitoring data for this Site that demonstrates the concentrations are decreasing and the plume is stable.

Source Area well

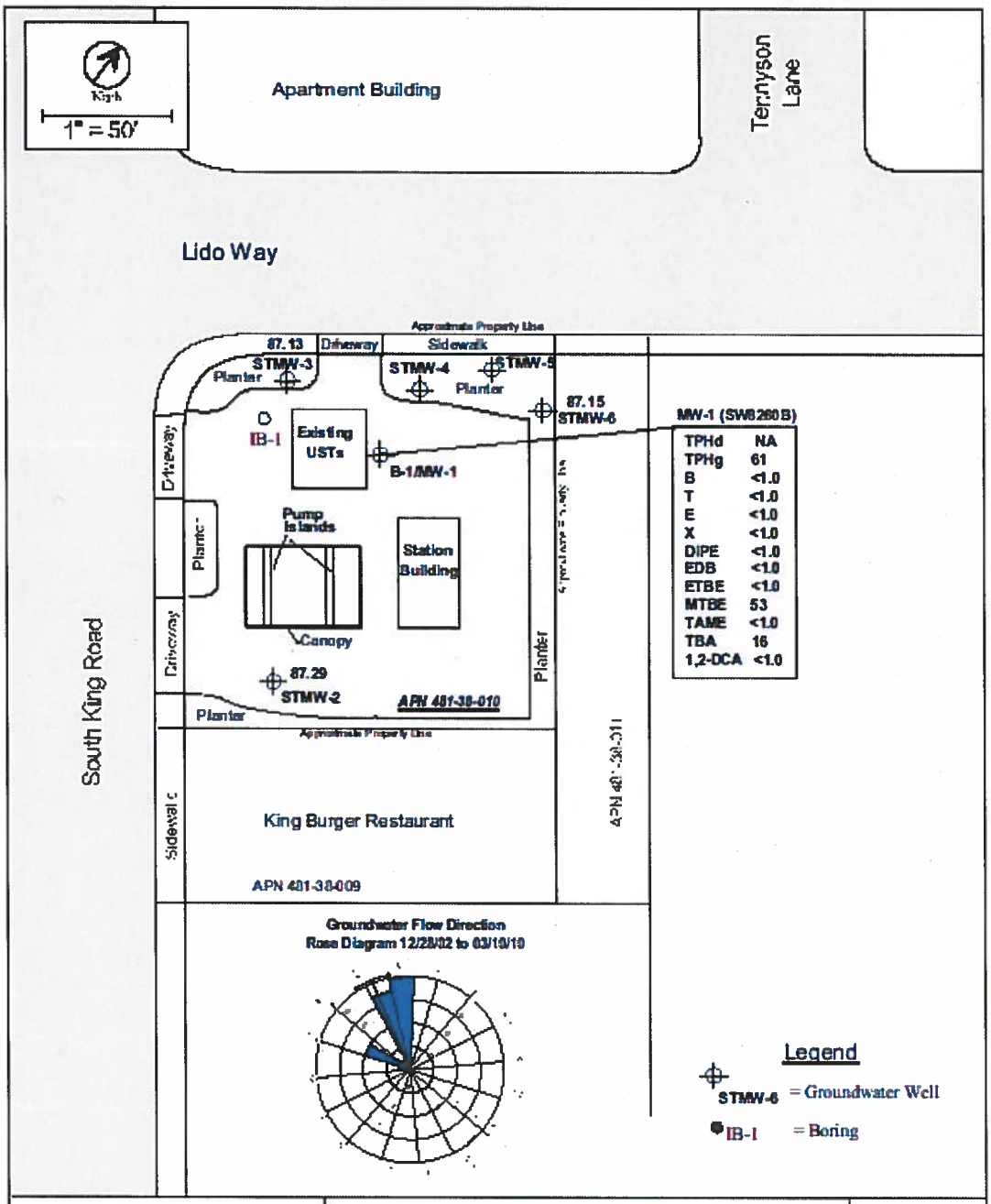



**Evaluation of Current Risk**

- Estimate of Hydrocarbon Mass in Soil: None reported.
- Soil/Groundwater tested for methyl tert-butyl ether (MTBE): Yes, see table above.
- Oxygen Concentrations in Soil Vapor: None reported.
- Plume Length: <100 feet long.
- 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 1. The contaminant plume that exceeds water quality objectives is less than 100 feet in length. There is no free product, and the nearest water supply well or surface water body is greater than 250 feet from the defined plume boundary.
- Indoor Vapor Risk from Residual Petroleum Hydrocarbons: The case meets the Policy Exclusion for Active Station. Soil vapor evaluation is not required because the Site is an active commercial petroleum fueling facility.
- Direct Contact Risk from Residual Petroleum Hydrocarbons: This case meets Policy Criterion 3b. A professional assessment of site-specific risk from exposure shows that maximum concentrations of petroleum constituents in soil will have no significant risk of adversely affecting human health. Furthermore, the Site is paved and accidental access to site soils is prevented. As an active gas station, any construction worker working at the Site will be prepared for exposure in their normal daily work.




| | | |
|---|---|---|
| **WellTest, Inc.**<br>P.O. Box 8548<br>San Jose, CA 95155 | **Groundwater Elevation Map (03/10/10)**<br>Nguyen Property<br>960 South King Road<br>San Jose, California | **FIGURE**<br>**3**<br>Job#: 2265 |




| | | |
|---|---|---|
| **WellTest, Inc.**<br>P.O. Box 8548<br>San Jose, CA 95155 | **Groundwater Chemistry Map (03/10/10)**<br>Nguyen Property<br>960 South King Road<br>San Jose, California | **FIGURE**<br>**4**<br>Job#: 2265 |