

FREY ENVIRONMENTAL, INC

Environmenta



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March 19, 2012

Mr. Charles R. Hoppin, Chairman
State Water Resources Control Board
P.O. Box 100
Sacramento, California 98512-0100

RE: DRAFT LOW-THREAT UNDERGROUND STORAGE TANK CASE CLOSURE POLICY

Dear Mr. Hoppin,


We have reviewed the Draft Low-Threat Underground Storage Tank Case Closure Policy (Policy) dated January 31, 2012. We have also reviewed many of the comments and letters provided by others regarding the Policy's merits and its problems. We recognize that many of the Policy issues have been extensively analyzed by many in the environmental industry. Without belaboring the details of our concerns, I would urge you to reconsider the following issues that would potentially impact shallow groundwater, and in the long term, the public:

- Guidance documents are already available that adequately provide a framework in the assessment, remediation, and closure of properties. These documents, such as the California LUFT Manual, provide local oversight agencies flexibility in assessing site-specific characteristics during the assessment and remediation processes. Inclusion of a 'low-threat' guidance document within the LUFT manual is more appropriate in my opinion, and would allow LOP's to prioritize higher risk properties. This would also allow better allocation of resources in the assessment and remediation of these properties.
- Only benzene and MTBE are addressed in the Policy. Tert-Butyl Ether (TBA) is not addressed in the Policy. A discussion and guidance for evaluation and threat reduction of TBA should be included.
- The Policy allows for relatively high levels of benzene and MTBE to remain in soil and groundwater under certain conditions. The threat these and other chemicals pose to groundwater and the public can increase substantially if there are changes in property use, installation of additional production wells near the property, or there is an increase in the pumping of beneficial groundwater from a public water system in which the affected property is located.

- Population increases and the subsequent increase in demand for drinking water will likely force municipalities to explore utilization of groundwater in areas that are currently not used. Expansion of groundwater production, be it through the installation of additional wells, or through increased extraction, may draw groundwater that has been impacted by petroleum hydrocarbons that was allowed to remain untreated due to this Policy. The risk to public health, and/or the reduction of useable water has not been adequately discussed in the Policy.

Thank you for considering my remarks and the well thought out concerns expressed by many other.

Sincerely,
FREY Environmental, Inc.



Josh Moeller
Staff Geologist