## Detterman, Mark, Env. Health

**From:** Abe [abegupta@gmail.com]
**Sent:** Thursday, March 08, 2012 3:09 PM
**To:** GLockwood@waterboards.ca.gov
**Cc:** Cristina Ochoa; Lisa Babcock; btrommer@waterboards.ca.gov; Detterman, Mark, Env. Health; Drogos, Donna, Env. Health
**Subject:** Re: 17715 Mission Blvd., Hayward, ATTORNEY COMMUNICATION

Dear Mr. Lockwood,

I really resent your comments on the phone with me earlier today. Solely upon the recommendation of Mr. Trommer, I contacted you to discuss this site. Not unlike some of the Alameda County officials you again made the absurd comment that $200,000 is not much money. You then sarcastically asked me if I was an engineer. I told you that I have degree in civil engineering from Stanford. You falsely accused me of violating a Business and Professions Code Section claiming that my reading of engineering reports and discussing them was illegal. I explained to you that I am an attorney and have a right to explore such matters for my client. Apparently trying to scare me, you then sarcastically asked me If I was an attorney.

You then stated you would do nothing and were extremely rude. I think you need to think very hard about the function of your office and the duty you owe to the public to be transparent. I also think you should consider carefully your manner in dealing with others. Your conduct was harassing, intimidating and designed to scare me from pursuing a private attorney general matter. Such conduct is totally unacceptable and will not be tolerated by my staff or me.

Regards,

**abe gupta** | **abegupta@gmail.com** | **t** (925) 519-7956 | **f** (925) 269-2380

On Thu, Mar 8, 2012 at 2:44 PM, Bob Trommer <BTROMMER@waterboards.ca.gov> wrote:
Per our conversation, here are the names and phone numbers of the San Francisco Regional Board contacts that can assist you if you wish to have your client's case transferred over to the Regional Board. I have also included George Lockwood's information should you wish to have him assist you with the transfer or if you want to petition the State Water Resources Control Board for closure.

SAN FRANCISCO BAY RWQCB
1515 CLAY STREET, SUITE 1400
OAKLAND, CA 94612

Chuck Headlee, UST Program Manager - 510.622.2433
CHeadlee@waterboards.ca.gov

STATE WATER RESOURCES CONTROL BOARD
1001 I STREET
SACRAMENTO, CA 95814

George Lockwood, Senior Water Resources Control Board - 916.341.5752
GLockwood@waterboards.ca.gov

Robert Trommer CHG
Chief, 5-Year Review Unit
Underground Storage Tank Cleanup Fund
Phone No. (916) 341-5684
FAX No. (916) 341-5806

>>> Abe <abegupta@gmail.com> 3/8/2012 9:36 AM >>>
Dear Ms. Cristina Mayorga-Ochoa,

Thank you for taking the time to speak to me this morning on behalf of the State Water Board and Ms. Babcock. We demand this site to be closed and we want it to be closed. We wish to engage Mr. Bob Trommer as supervisor of the Five Year review. He is is cc'd. As you know, Mr. Detterman has completely allowed Sierra Environmental to completely take advantage of this property. Ms. Drogos as Head of the Local Oversight has refused to communicate. There has been an unbridled level of arrogance especially in comments made about how little money $205, 000 is. I assure you this is a tremendous amount of money and nearly all of it was wasted. All of have gotten from Alameda County is ignored calls, emails and letters.

You stated that Fig Tree had been given a Closure Expedite (red flag to close it). The Closure Expedite came from Bob Trommer based on a five year review. I want this site to be filed to your closure unit. The contractor has recommended site closure and the site needs to be closed. Of course, the contractor is trying very hard to keep the site going to make more money. As such, he is drilling wells without our consent. To this end, I am investigating how in the world in excess of $200,000 has been spent over the last fourteen years; yet, nothing substantive has been achieved by Sierra Environmental. I am also investigating why Alameda County is allegedly rejecting the explicit recommendation made by Sierra Environmental in writing that the site should be closed. In fact, the issue is more acute considering EBMUD does not even pull groundwater from underground at this site.

If the media were given this information they would have a field day with it-- this is such a clear example of government waste. Alameda County has absolutely no concern for how the money of the State (our money) is spent. If the media heard Mr. Detterman's comment that $200,000 is not much money, they would be extremely angry and frankly. I was shocked when I heard it. The state is broke and yet allows LOC's to hand fistfuls of money to greedy contractors. These contractors have no concern for the environment and the

State Board seems more than happy to keep paying them. SWB needs to police its LOC's as well.

Regards,

abe gupta *|* abegupta@gmail.com *| **t *(925) 519-7956 *| **f *(925) 269-2380

## Detterman, Mark, Env. Health

**From:** Abe [abegupta@gmail.com]
**Sent:** Thursday, March 08, 2012 3:00 PM
**To:** CHeadlee@waterboards.ca.gov
**Cc:** Detterman, Mark, Env. Health; Drogos, Donna, Env. Health; Cristina Ochoa; Lisa Babcock; btrommer@waterboards.ca.gov
**Subject:** 17715 Mission Blvd., Hayward, CA

SAN FRANCISCO BAY RWQCB
1515 CLAY STREET, SUITE 1400
OAKLAND, CA 94612

Chuck Headlee, UST Program Manager - 510.622.2433
CHeadlee@waterboards.ca.gov

Dear Mr. Headlee,

Per my conversation this afternoon with Mr. Bob Trommer at the SWRCB, we wish to immediately have my client's gas station remediation oversight move to the regional board in Oakland from Alameda County. The site is 17715 Mission Blvd., Hayward, CA 94541.

Regards,

**abe gupta** | **abegupta@gmail.com** | **t** (925) 519-7956 | **f** (925) 269-2380

## Detterman, Mark, Env. Health

**From:** Abe [abegupta@gmail.com]
**Sent:** Thursday, March 08, 2012 9:37 AM
**To:** cochoa@waterboards.ca.gov; btrommer@waterboards.ca.gov; lbabcock@waterboards.ca.gov
**Cc:** Som D Gupta; Detterman, Mark, Env. Health; Cherie MCcaulou; Drogos, Donna, Env. Health; Melinda Wong; Selim.Zeyrek@acwd.com
**Subject:** 17715 Mission Blvd., Hayward, ATTORNEY COMMUNICATION
**Attachments:** RO#0000257_SiteClosureProposal_2011-8-15 .pdf

Dear Ms. Cristina Mayorga-Ochoa,

Thank you for taking the time to speak to me this morning on behalf of the State Water Board and Ms. Babcock. We demand this site to be closed and we want it to be closed. We wish to engage Mr. Bob Trommer as supervisor of the Five Year review. He is is cc'd. As you know, Mr. Detterman has completely allowed Sierra Environmental to completely take advantage of this property. Ms. Drogos as Head of the Local Oversight has refused to communicate. There has been an unbridled level of arrogance especially in comments made about how little money $205, 000 is. I assure you this is a tremendous amount of money and nearly all of it was wasted. All of have gotten from Alameda County is ignored calls, emails and letters.

You stated that Fig Tree had been given a Closure Expedite (red flag to close it). The Closure Expedite came from Bob Trommer based on a five year review. I want this site to be filed to your closure unit. The contractor has recommended site closure and the site needs to be closed. Of course, the contractor is trying very hard to keep the site going to make more money. As such, he is drilling wells without our consent. To this end, I am investigating how in the world in excess of $200,000 has been spent over the last fourteen years; yet, nothing substantive has been achieved by Sierra Environmental. I am also investigating why Alameda County is allegedly rejecting the explicit recommendation made by Sierra Environmental in writing that the site should be closed. In fact, the issue is more acute considering EBMUD does not even pull groundwater from underground at this site.

If the media were given this information they would have a field day with it-- this is such a clear example of government waste. Alameda County has absolutely no concern for how the money of the State (our money) is spent. If the media heard Mr. Detterman's comment that $200,000 is not much money, they would be extremely angry and frankly. I was shocked when I heard it. The state is broke and yet allows LOC's to hand fistfuls of money to greedy contractors. These contractors have no concern for the environment and the State Board seems more than happy to keep paying them. SWB needs to police its LOC's as well.

Regards,

**abe gupta** | **abegupta@gmail.com** | **t** (925) 519-7956 | **f** (925) 269-2380

Sierra Environmental, Inc.
*Environmental Consultants*

**August 15, 2011**

**Mr. Mark E. Detterman**
**Alameda County Health**
**Care Services Agency**
**1131 Harbor Bay Parkway**
**Suite 250**
**Alameda, CA 94502-6577**

**Subject:** **Proposing Site Closure, RO0000257 (Global ID #T0600102154), ABE Petroleum, 17715 Mission Boulevard, Hayward, California**

**Dear Mr. Detterman:**

Sierra Environmental, Inc. (Sierra) has prepared this letter proposing Alameda County Health Care Services (ACHCS) to consider a case closure for the subject property (Site). Sierra's proposal is based on the Site's environmental conditions, State Underground Storage Tank Fund (UST Fund) financial constrains, and Site ownership representative (Mr. Abe Gubta) request. Sierra understands that ACHCS requested an addendum to DPE test work plan in a letter dated June 17, 2011. Therefore, Sierra is also preparing the requested addendum to be submitted to the agency within the requested deadline. The following sections provide the supportive information for ACHCS review and Site closure consideration:

## Site Specific Information

The Site is a triangular shape property operating as a gas station (ABE Gasoline) with a small minimart. The fueling system at the Site has been upgraded with double wall tanks and piping in 1997. It is located in commercial/residential areas of Hayward, California. The Site is bounded by Mission Boulevard to the north, northeast, and east, Lewelling Boulevard to the south & southwest, and traffic ramp to the west. It is approximately 61 feet above mean sea level (MSL). San Lorenzo Creek runs within 0.4 mile south of the Site. San Francisco Bay is within 4.5 miles west of the Site.

980 W. Taylor Street
San Jose, CA 95126
Phone (408) 971-6758
Fax (408) 971-6759

Lake Chabot is within 1.6 miles northeast of the Site. Estudillo Creek/Canal runs within 1 mile northeast of the Site. The Site is situated within groundwater sub basin of East Bay Plain with its beneficial use for municipal (MUN), Agricultural (AGR), Industrial (IND), and Industrial Process (PRO).

## Background

On September 16, 1997, Balch Petroleum Contractors & Builders, Inc. (Balch) of Milpitas, California, removed one 2,000-gallon, two 6,000-gallon, one 10,000-gallon single-wall steel gasoline, and one 500-gallon single-wall steel waste oil USTs from the Site. Former UST locations are shown in Figure A.

No hole or damage was observed in the tanks. No groundwater was encountered in the tank excavations. Up to 2,300 parts per million (ppm) total petroleum hydrocarbons as gasoline (TPHG) was detected in the soil samples collected from beneath the tanks at approximately 14 feet below ground surface (bgs).

On August 14, 2000, Sierra constructed groundwater monitoring well MW1 through MW3 at the Site. The wells are approximately 35 feet deep. Up to 720 ppm TPHG, 2.2 ppm benzene, and 3.4 ppm methyl tertiary butyl ether (MTBE) was detected in the soil samples collected from the wells/borings. Up to 290000 ppb TPHG, 10000 ppb benzene, and 4300 ppb MTBE were detected in the groundwater samples collected from the wells. Groundwater monitoring well locations is shown on Figure B.

On May 4, 2006, Sierra had soil boring B1 through B4 be advanced at the Jack In The Box and Cal/Trans properties. Sierra collected grab groundwater samples from the borings for chemical analysis. Up to 370 μg/l total petroleum hydrocarbons as gasoline (TPHG), 16 μg/l toluene, 15 μg/l ethylbenzene, and 100 μg/l xylenes were detected in the water sample collected from the borings (B3 and B4) advanced at the Jack In The Box property. No benzene or MTBE was detected in water samples collected at this property. 3.2 μg/l MTBE was detected in the water samples collected from the borings advanced at the Cal/Trans properties. The MTBE was detected in boring B2 located within 300 feet northwest at hydraulic down gradient of the Site. On May 10 and 11, 2006, Sierra retained services of Hew Drilling Company, Inc. (Hew) to construct 4 groundwater monitoring wells (MW4 through MW7) at the CalTrans properties, and Langton Drive. After the well construction, Sierra had the wellheads surveyed, developed the wells, and collected groundwater samples from the wells for chemical analysis. No gasoline constituents were detected in the groundwater samples collected from the wells. The analytical results for the soil and groundwater samples collected from the boring and the wells suggest the tip of the dissolved MTBE plume in the groundwater is confined within 300 feet northwest of the Site. The length of the dissolved plume of other gasoline constituents in groundwater were shorter than the MTBE plume.

On August 27, 28, and 31 2009, Sierra had 9 membrane interface probes [MIP (B1 through B9)] advanced at the Site. The MIPs were extended to 40 feet bgs. Before advancing the MIPs, on August 27, 2009, Sierra had confirmatory soil boring S1 advanced near MW1 to explore depth of first encountered groundwater, and collected soil and groundwater samples for chemical analysis, soil oxygen demand (SOD), permeability, and gradations tests. Soil explored/tested at the Site consisted of silty clay/silty sandy clay to approximately 35 feet bgs and sandy gravel encountered at 35 through 40 feet below ground surface. Groundwater was first encountered in boring S1 at approximately 31 feet bgs and raised to 25 feet bgs.

The MIP results suggested that soil impacted with the gasoline constituents exist from approximately 10 feet bgs to the saturated zone. The horizontal extend of impacted soil is within approximately 25 feet radius of MW1. MIP results depicted higher contaminant concentrations at 20-25 feet and 30-32 feet bgs.

Up to 320 mg/kg TPHG, 1.170 mg/kg benzene, and 1.150 mg/kg MTBE were detected in the soil representing 20 feet bgs in boring S1 (confirmatory boring), at the source area. Also, up to 59,900 μg/l of TPHG, 1680 μg/l benzene, and 893 μg/l MTBE were detected in the grab water collected from boring S1. High/moderate concentrations of gasoline constituents were also detected in grab groundwater samples at all the MIP borings. The MIP boring locations are shown in Figure C.

**Present Environmental Conditions at the Site**

Sierra has been monitoring groundwater quality of three onsite wells (MW1 through MW3) since 2000, and two offsite wells (MW6 and MW7) since 2006. MW1 is located at the source area. MW6 and MW7 are situated at hydraulic down gradient of the Site. No gasoline constituents have been detected in the groundwater samples collected from MW6 and MW7. Analytical results for water samples collected from MW1 show a decreasing trend. Figure D shows TPHG, Benzene, and MTBE concentrations versus time for MW1. Please note that since groundwater monitoring has been reduce to semi-annual, Sierra uses only June of each year data to establish the correlation. Gasoline constituents in the groundwater samples collected from MW2 and MW3 have also shown decreasing trend. Table II shows analytical results for groundwater samples collected from the monitoring wells.

**TABLE II**
**ANALYTICAL RESULTS FOR GROUNDWATER SAMPLES**

| Sample ID | Sample Date | Sample Location | TPHG[1] µg/L | Benzene µg/L | Toluene µg/L | Ethylbenzene µg/L | Xylenes µg/L | MTBE[2] µg/L |
|---|---|---|---|---|---|---|---|---|
| MW-1 | 8-18-00 | MW1 | 280,000 | 10,000 | 16,000 | 11,000 | 49,000 | 4,000 |
| | 3-30-01 | | 98,000 | 8,600 | 14,000 | 6,300 | 26,000 | 7,600 |
| | 6-22-01 | | 110,000 | 7,500 | 12,000 | 5,700 | 24,000 | 3,800 |
| | 9-20-01 | | 93,000 | 8,700 | 11,000 | 6,300 | 27,000 | 4,600 |
| | 12-27-01 | | 140,000 | 7,700 | 11,000 | 6,500 | 28,000 | 7,700 |
| | 9-24-02 | | 110,000 | 4,600 | 4,000 | 4,000 | 18,000 | 3,400 |
| | 12-17-02 | | 110,000 | 6,600 | 6,700 | 5,400 | 23,000 | 2,900 |
| | 4-2-03 | | 89,000 | 4,800 | 6,000 | 4,600 | 20,000 | 5,900 |
| | 6-12-03 | | 69,000 | 4,100 | 4,300 | 3,900 | 17,000 | 4,700 |
| | 9-29-03 | | 96,000 | 7,000 | 7,700 | 5,100 | 22,000 | 6,200 |
| | 12-04-03 | | 110,000 | 5,800 | 5,900 | 4,300 | 18,000 | 4,500 |
| | 03-09-04 | | 130,000 | 5,900 | 9,700 | 4,900 | 22,000 | 6,000 |
| | 6-24-04 | | 48,000 | 5,800 | 7,500 | 4,000 | 18,000 | 4,000 |
| | 9-09-04 | | 64,000 | 4,800 | 7,500 | 4,500 | 19,000 | 2,200 |
| | 12-21-04 | | 53,000 | 4,800 | 6,000 | 3,600 | 15,000 | 2,600 |
| | 3-16-05 | | 82,000 | 4,000 | 8,600 | 3,900 | 18,000 | 4,300 |
| | 6-09-05 | | 52,000 | 3,600 | 6,400 | 3,300 | 17,000 | 3,500 |
| | 9-22-05 | | 62,000 | 3,500 | 5,400 | 3,900 | 17,000 | 2,100 |
| | 12-7-05 | | 40,000 | 3,300 | 7,500 | 3,700 | 18,000 | 2,500 |
| | 3-10-06 | | 53,000 | 3,600 | 6,900 | 4,000 | 18,000 | 3,300 |
| | 6-07-06 | | 57,000 | 4,200 | 12,000 | 3,700 | 16,000 | 3,900 |
| | 9-11-06 | | 120,000 | 3,600 | 9,500 | 5,200 | 23,000 | 3,000 |
| | 12-13-06 | | 21,000 | 2,600 | 8,400 | 4,300 | 20,000 | 1,200 |
| | 3-12-07 | | 96,000 | 2,300 | 5,600 | 5,900 | 26,000 | 1,400 |
| | 6-6-07 | | 58,000 | 2,000 | 3,400 | 3,900 | 16,000 | 1,500 |
| | 9-6-07 | | 84,000 | 3,000 | 4,300 | 6,000 | 25,000 | 2,300 |
| | 12-14-07 | | 55,000 | 2,500 | 2,400 | 4,400 | 18,000 | 1,900 |
| | 3-13-08 | | 80,000 | 2,400 | 5,400 | 4,700 | 22,000 | 2,000 |
| | 6-13-08 | | 87,000 | 2,800 | 2,200 | 5,000 | 21,000 | 3,100 |
| | 09-09-08 | | 34,400 | 2,040 | 1,120 | 2,390 | 10,100 | 1,890 |
| | 12-12-08 | | 91,000 | 2,110 | 1,240 | 3,660 | 17,200 | 1,560 |
| | 03-12-09 | | 92,000 | 1,510 | 1,240 | 2,630 | 16,500 | 1,040 |
| | 06-04-09 | | 61,200 | 1,780 | 711 | 3,840 | 14,600 | 1,580 |
| | 12-03-09 | | 66,300 | 2,300 | 346 | 4,100 | 15,400 | 2,690 |
| | 06-02-10 | | 63,000 | 2,100 | 1,300 | 2,600 | 13,600 | 2,500 |
| | 12-01-10 | | 54,000 | 2,520 | 180 | 4,240 | 10,200 | 2,230 |
| | 06-03-11 | | 46,600 | 1,900 | 689 | 2,670 | 8,110 | 2,080 |

**TABLE II**
**ANALYTICAL RESULTS FOR GROUNDWATER SAMPLES**
**(CONTINUED)**

| Sample ID | Sample Date | Sample Location | TPHG µg/L | Benzene µg/L | Toluene µg/L | Ethyl benzene µg/L | Xylenes µg/L | MTBE µg/L |
|---|---|---|---|---|---|---|---|---|
| MW-2 | 8-18-00 | MW2 | 290,000 | 3700 | 990 | 7,300 | 26,000 | ND[3] |
| | 3-30-01 | | 47,000 | 3,200 | 470 | 4,500 | 13,000 | 3,100 |
| | 6-22-01 | | 57,000 | 2,500 | 350 | 4,200 | 12,000 | 1,800 |
| | 9-20-01 | | 42,000 | 2,300 | 230 | 4,300 | 12,000 | 2,200 |
| | 12-27-01 | | 70,000 | 2,900 | 390 | 4,800 | 14,000 | 2,400 |
| | 9-24-02 | | 110,000 | 1,600 | 200 | 3,400 | 9,100 | 2,500 |
| | 12-17-02 | | 66,000 | 2,400 | 340 | 4,600 | 13,000 | 1,900 |
| | 4-2-03 | | 29,000 | 1,000 | 130 | 2,300 | 5,100 | 2,000 |
| | 6-12-03 | | 8,700 | 380 | 52 | 790 | 2,000 | 2,200 |
| | 9-29-03 | | 52,000 | 1,700 | 200 | 4,500 | 9,800 | 2,300 |
| | 12-04-03 | | 66,000 | 1,500 | 210 | 4,500 | 9,200 | 1,900 |
| | 03-09-04 | | 61,000 | 1,500 | 2,000 | 4,200 | 8,500 | 2,200 |
| | 6-24-04 | | 29,000 | 1,200 | 72 | 3,100 | 6,000 | 2,100 |
| | 9-09-04 | | 37,000 | 1,600 | 110 | 4,000 | 8,500 | 3,100 |
| | 12-21-04 | | 27,000 | 1,400 | 84 | 3,100 | 5,400 | 3,200 |
| | 3-16-05 | | 54,000 | 1,700 | 140 | 4,500 | 8,900 | 4,000 |
| | 6-09-05 | | 2,800 | 420 | ND[3] | 180 | 51 | 930 |
| | 9-22-05 | | 33,000 | 1,400 | ND | 3,400 | 5,700 | 2,200 |
| | 12-7-05 | | 20,000 | 1,600 | 130 | 3,400 | 6,000 | 3,000 |
| | 3-10-06 | | 34,000 | 2,100 | 170 | 4,200 | 7,500 | 4,400 |
| | 6-07-06 | | 29,000 | 2,400 | 250 | 3,600 | 5,100 | 3,200 |
| | 9-11-06 | | 32,000 | 1,100 | 140 | 2,400 | 3,500 | 1,600 |
| | 12-13-06 | | 36,000 | 1,400 | 220 | 3,400 | 4,900 | 1,900 |
| | 3-12-07 | | 36,000 | 1,200 | 250 | 3,800 | 5,700 | 1,800 |
| | 6-6-07 | | 24,000 | 1,100 | 170 | 3,000 | 4,200 | 1,400 |
| | 9-6-07 | | 44,000 | 1,600 | 290 | 5,700 | 6,800 | 1,900 |
| | 12-14-07 | | 28,000 | 1,200 | 160 | 3,600 | 3,700 | 1,500 |
| | 3-13-08 | | 47,000 | 1,100 | 190 | 5,800 | 7,500 | 1,200 |
| | 6-13-08 | | 40,000 | 950 | 170 | 4,600 | 4,800 | 1,400 |
| | 09-09-08 | | 20,300 | 706 | 121 | 2,680 | 2,580 | 1,180 |
| | 12-12-08 | | 48,000 | 826 | 114 | 4,050 | 4,250 | 1,610 |
| | 03-12-09 | | 43,000 | 686 | 128 | 2,740 | 4,520 | 974 |
| | 06-04-09 | | 20,600 | 440 | 94.3 | 2,770 | 2,270 | 717 |
| | 12-03-09 | | 26,600 | 372 | 29.7 | 3,250 | 2,250 | 608 |
| | 06-02-10 | | 21,000 | 130 | 13 | 2,400 | 1,500 | 160 |
| | 12-01-10 | | 14,300 | 127 | ND | 1,890 | 697 | 206 |
| * | 06-03-11 | | 8,150 | 72.0 | ND | 845 | 352 | 130 |

**TABLE II**
**ANALYTICAL RESULTS FOR GROUNDWATER SAMPLES**
**(CONTINUED)**

| Sample ID | Sample Date | Sample Location | TPHG µg/L | Benzene µg/L | Toluene µg/L | Ethylbenzene µg/L | Xylenes µg/L | MTBE µg/L |
|---|---|---|---|---|---|---|---|---|
| MW-3 | 8-18-00 | MW3 | 46,000 | 3,200 | 550 | 3,700 | 14,000 | 2,200 |
| | 3-30-01 | | 30,000 | 3,300 | 340 | 2,800 | 9,100 | 4,700 |
| | 6-22-01 | | 35,000 | 4,000 | 340 | 2,900 | 7,600 | 4,100 |
| | 9-20-01 | | 30,000 | 3,800 | 260 | 2,500 | 6,600 | 5,300 |
| | 12-27-01 | | 39,000 | 4,400 | 340 | 3,000 | 6,700 | 5,500 |
| | 9-24-02 | | 53,000 | 4,100 | 270 | 3,100 | 6,600 | 6,400 |
| | 12-17-02 | | 40,000 | 3,600 | 240 | 2,200 | 5,700 | 5,200 |
| | 4-2-03 | | 24,000 | 2,000 | 130 | 1,800 | 3,300 | 3,000 |
| | 6-12-03 | | 26,000 | 2,700 | 180 | 2,000 | 4,200 | 5,500 |
| | 9-29-03 | | 39,000 | 4,000 | 220 | 3,200 | 5,300 | 4,800 |
| | 12-04-03 | | 40,000 | 3,200 | 180 | 2,200 | 4,300 | 4,400 |
| | 03-09-04 | | 39,000 | 3,100 | 160 | 2,100 | 4,400 | 4,000 |
| | 6-24-04 | | 21,000 | 3,000 | 110 | 2,300 | 3,800 | 3,400 |
| | 9-09-04 | | 26,000 | 4,100 | 140 | 2,200 | 4,300 | 6,000 |
| | 12-21-04 | | 20,000 | 3,400 | 99 | 1,700 | 2,900 | 6,400 |
| | 3-16-05 | | 35,000 | 1,800 | 78 | 1,900 | 2,600 | 4,000 |
| | 6-09-05 | | 2,000 | 55 | ND | 120 | 30 | 150 |
| | 9-22-05 | | 17,000 | 2,000 | 69 | 1,500 | 1,900 | 3,500 |
| | 12-7-05 | | 11,000 | 1,800 | 62 | 1,500 | 1,700 | 2,300 |
| | 3-10-06 | | 9,100 | 1,100 | 24 | 990 | 810 | 1,300 |
| | 6-07-06 | | 3,000 | 440 | 16 | 180 | 450 | 320 |
| | 9-11-06 | | 17,000 | 1,300 | 38 | 1,000 | 1,600 | 690 |
| | 12-13-06 | | 13,000 | 1,200 | ND | 1,000 | 1,300 | 520 |
| | 3-12-07 | | 120,000 | 10,000 | 210 | 11,000 | 11,000 | ND |
| | 6-6-07 | | 13,000 | 1,200 | 19 | 1,100 | 1,100 | 590 |
| | 9-6-07 | | 22,000 | 1,900 | 32 | 2,000 | 1,600 | 1,000 |
| | 12-14-07 | | 16,000 | 1,400 | 23 | 1,200 | 1,300 | 600 |
| | 3-13-08 | | 10,000 | 870 | ND | 1,000 | 670 | 420 |
| | 6-13-08 | | 15,000 | 1,300 | 27 | 1,300 | 1,200 | 660 |
| | 09-09-08 | | 9,030 | 890 | <10 | 695 | 372 | 460 |
| | 12-12-08 | | 26,000 | 1,200 | 15.4 | 995 | 875 | 423 |
| | 03-12-09 | | 15,000 | 759 | 18.3 | 704 | 1,010 | 300 |
| | 06-04-09 | | 11,500 | 1,250 | 34.9 | 821 | 1,040 | 422 |
| | 12-03-09 | | 19,500 | 2,250 | 25.1 | 1330 | 1,050 | 577 |
| | 06-02-10 | | 8,800 | 1,100 | 9.7 | 200 | 530 | 320 |
| | 12-01-10 | | 7,910 | 1,020 | ND | 358 | 128 | 257 |
| * | 06-03-11 | | 2,910 | 93.7 | ND | 104 | 55.5 | 43.9 |

**TABLE II**
**ANALYTICAL RESULTS FOR GROUNDWATER SAMPLES**
**(CONTINUED)**

| Sample ID | Sample Date | Sample Location | TPHG µg/L | Benzene µg/L | Toluene µg/L | Ethylbenzene µg/L | Xylenes µg/L | MTBE µg/L |
|---|---|---|---|---|---|---|---|---|
| MW-4 | 6-7-06 | MW4 | <25 | <0.5 | <0.5 | <0.5 | <0.5 | <1 |
| | 9-11-06 | | <25 | <0.5 | <0.5 | <0.5 | <0.5 | <1 |
| | 12-13-06 | | <25 | <0.5 | <0.5 | <0.5 | <0.5 | <1 |
| | 3-12-07 | | <25 | <0.5 | <0.5 | <0.5 | <0.5 | <1 |
| | 6-6-07 | | NS[4] | NS | NS | NS | NS | NS |
| | 9-6-07 | | NS | NS | NS | NS | NS | NS |
| | 12-14-07 | | NS | NS | NS | NS | NS | NS |
| | 3-13-08 | | NS | NS | NS | NS | NS | NS |
| | 6-13-08 | | NS | NS | NS | NS | NS | NS |
| | 09-09-08 | | NS | NS | NS | NS | NS | NS |
| | 12-12-08 | | NS | NS | NS | NS | NS | NS |
| | 03-12-09 | | NS | NS | NS | NS | NS | NS |
| | 06-04-09 | | NS | NS | NS | NS | NS | NS |
| | 12-03-09 | | NS | NS | NS | NS | NS | NS |
| | 06-02-10 | | NS | NS | NS | NS | NS | NS |
| | 12-01-10 | | NS | NS | NS | NS | NS | NS |
| | 06-03-11 | | NS | NS | NS | NS | NS | NS |
| MW-5 | 6-7-06 | MW5 | <25 | <0.5 | <0.5 | <0.5 | <0.5 | <1 |
| | 9-11-06 | | <25 | <0.5 | <0.5 | <0.5 | <0.5 | <1 |
| | 12-13-06 | | <25 | <0.5 | <0.5 | <0.5 | <0.5 | <1 |
| | 3-12-07 | | <25 | <0.5 | <0.5 | <0.5 | <0.5 | <1 |
| | 6-6-07 | | NS | NS | NS | NS | NS | NS |
| | 9-6-07 | | NS | NS | NS | NS | NS | NS |
| | 12-14-07 | | NS | NS | NS | NS | NS | NS |
| | 3-13-08 | | NS | NS | NS | NS | NS | NS |
| | 6-13-08 | | NS | NS | NS | NS | NS | NS |
| | 09-09-08 | | NS | NS | NS | NS | NS | NS |
| | 12-12-08 | | NS | NS | NS | NS | NS | NS |
| | 03-12-09 | | NS | NS | NS | NS | NS | NS |
| | 06-04-09 | | NS | NS | NS | NS | NS | NS |
| | 12-03-09 | | NS | NS | NS | NS | NS | NS |
| | 06-02-10 | | NS | NS | NS | NS | NS | NS |
| | 12-01-10 | | NS | NS | NS | NS | NS | NS |
| | 06-03-11 | | NS | NS | NS | NS | NS | NS |

**TABLE II**
**ANALYTICAL RESULTS FOR GROUNDWATER SAMPLES**
**(CONTINUED)**

| Sample ID | Sample Date | Sample Location | TPHG µg/L | Benzene µg/L | Toluene µg/L | Ethylbenzene µg/L | Xylenes µg/L | MTBE µg/L |
|---|---|---|---|---|---|---|---|---|
| MW-6 | 6-7-06 | MW6 | <25 | <0.5 | <0.5 | <0.5 | <0.5 | <1 |
| | 9-11-06 | | <25 | <0.5 | <0.5 | <0.5 | <0.5 | <1 |
| | 12-13-06 | | <25 | <0.5 | <0.5 | <0.5 | <0.5 | <1 |
| | 3-12-07 | | <25 | <0.5 | <0.5 | <0.5 | <0.5 | <1 |
| | 6-6-07 | | <25 | <0.5 | <0.5 | <0.5 | <0.5 | <1 |
| | 9-6-07 | | <25 | <0.5 | <0.5 | <0.5 | <0.5 | <1 |
| | 12-14-07 | | <25 | <0.5 | <0.5 | <0.5 | <0.5 | <1 |
| | 3-13-08 | | <25 | <0.5 | <0.5 | <0.5 | <0.5 | <1 |
| | 6-13-08 | | <25 | <0.5 | <0.5 | <0.5 | <1 | <1 |
| | 09-09-08 | | <25 | <0.3 | <0.5 | <0.3 | <0.7 | <0.5 |
| | 12-12-08 | | <50 | <0.5 | <0.5 | <0.5 | <1.5 | <0.5 |
| | 03-12-09 | | <50 | <0.5 | <0.5 | <0.5 | <1.5 | <0.5 |
| | 06-04-09 | | <25 | <0.3 | <0.5 | <0.3 | <0.7 | <0.5 |
| | 12-03-09 | | <25 | <0.3 | <0.5 | <0.3 | <0.7 | <0.5 |
| | 06-02-10 | | <50 | <0.5 | <0.5 | <0.5 | <0.5 | <0.5 |
| | 12-01-10 | | <25 | <0.3 | <0.5 | <0.3 | <0.7 | <0.5 |
| | 06-03-11 | | <25 | <0.3 | <0.5 | <0.3 | <0.7 | <0.5 |
| MW-7 | 6-7-06 | MW7 | <25 | <0.5 | <0.5 | <0.5 | <0.5 | <1 |
| | 9-11-06 | | <25 | <0.5 | <0.5 | <0.5 | <0.5 | <1 |
| | 12-13-06 | | <25 | <0.5 | <0.5 | <0.5 | <0.5 | <1 |
| | 3-12-07 | | 27 | <0.5 | <0.5 | <0.5 | <0.5 | <1 |
| | 6-6-07 | | <25 | <0.5 | <0.5 | <0.5 | <0.5 | <1 |
| | 9-6-07 | | <25 | <0.5 | <0.5 | <0.5 | <0.5 | <1 |
| | 12-14-07 | | <25 | <0.5 | <0.5 | <0.5 | <0.5 | <1 |
| | 3-13-08 | | <25 | <0.5 | <0.5 | <0.5 | <0.5 | <1 |
| | 6-13-08 | | <25 | <0.5 | <0.5 | <0.5 | <1 | <1 |
| | 09-09-08 | | <25 | <0.5 | <0.5 | <0.5 | <1 | <1 |
| | 12-12-08 | | <50 | <0.5 | <0.5 | <0.5 | <1.5 | <0.5 |
| | 03-12-09 | | <50 | <0.5 | <0.5 | <0.5 | <1.5 | <0.5 |
| | 06-04-09 | | <25 | <0.3 | <0.5 | <0.3 | <0.7 | <0.5 |
| | 06-02-10 | | <50 | <0.5 | <0.5 | <0.5 | <0.5 | <0.5 |
| | 12-01-10 | | <25 | <0.3 | <0.5 | <0.3 | <0.7 | <0.5 |
| | 06-03-11 | | <25 | <0.3 | <0.5 | <0.3 | <0.7 | <0.5 |

1. TPHG = Total Petroleum Hydrocarbons as Gasoline
2. MTBE = Methyl Tertiary Butyl Ether
3. ND = Below Laboratory Detection Limit
4. NS = Not Sampled

* 78.3 ug/L of TertButyl Alcohol was detected in sample MW-2, and 84.2 ug/L of Tert-Butyl Alcohol was detected in sample MW-3.

The following findings summarize results of site conceptual model prepared for the Site dated July 30, 2006:

- Groundwater flow direction was measured to be consistent and toward northwest of the Site according to the new wellhead survey results
- Groundwater contamination plume was extended off-Site, and appeared to be contained within an approximately 300 feet radius of the Site
- No Potential sensitive receptors were identified near the Site
- No man made conduits extending below ground water level exist near the Site.

Please note that no gasoline constituents have been detected in off-site monitoring well MW6 and MW7 suggesting that contaminant in groundwater remain within proximity of the Site boundaries.

Based on the above information, groundwater contamination beneath the Site appears to be stable and reducing in concentration with time.

**State Budgetary Constraints**

Due to economic hardship, State Underground Storage Tank Fund has recently assigned budget for leaking underground fuel tank (LUFT) facilities covering fiscal year 2011-2012. The assigned budget for the Site is $30,000. This budget would not cover costs of any expedited and meaningful cleanup efforts, consequently resulting in payments for long-term groundwater monitoring and limited corrective actions. Therefore, natural attenuation may become the major factor in further reducing contaminant mass. Consequently, additional expenditure for such activities may not be warranted.

**Site Owners Request for Case Closure**

In July 2011, Sierra obtained electronic mails and a telephone conversation from Mr. Abe Gubta, Site's ownership representative, demonstrating concern with the pace of progress to obtain case closure for the Site. ACHCS staffs were also copied with the electronic mails. A case closure could facilitate Site owners to make appropriate economic decisions for the Site in this difficult economic environment.

## Closure

Based on the above reasons, Sierra proposes ACHCS to consider a case closure for the Site.

Please feel welcome to call us if you have questions.

**Very Truly Yours,**
**Sierra Environmental, Inc.**

REGISTERED PROFESSIONAL ENGINEER
REZA BARADARAN
No. 40506
Exp. 2/31/11
CIVIL
STATE OF CALIFORNIA

Aug 16, 2011

**Reza Baradaran, PE, GE**
**Principal**

**Mitch Hajiaghai, REA II, CAC**
**Principal**

Attachments:

| | | |
|---|---|---|
| Figure A | - | Former UST Locations |
| Figure B | - | Groundwater Monitoring Well Locations |
| Figure C | - | MIP Locations |
| Figure D | - | TPHG, Benzene, MTBE Concentration Vs. Time Curve |

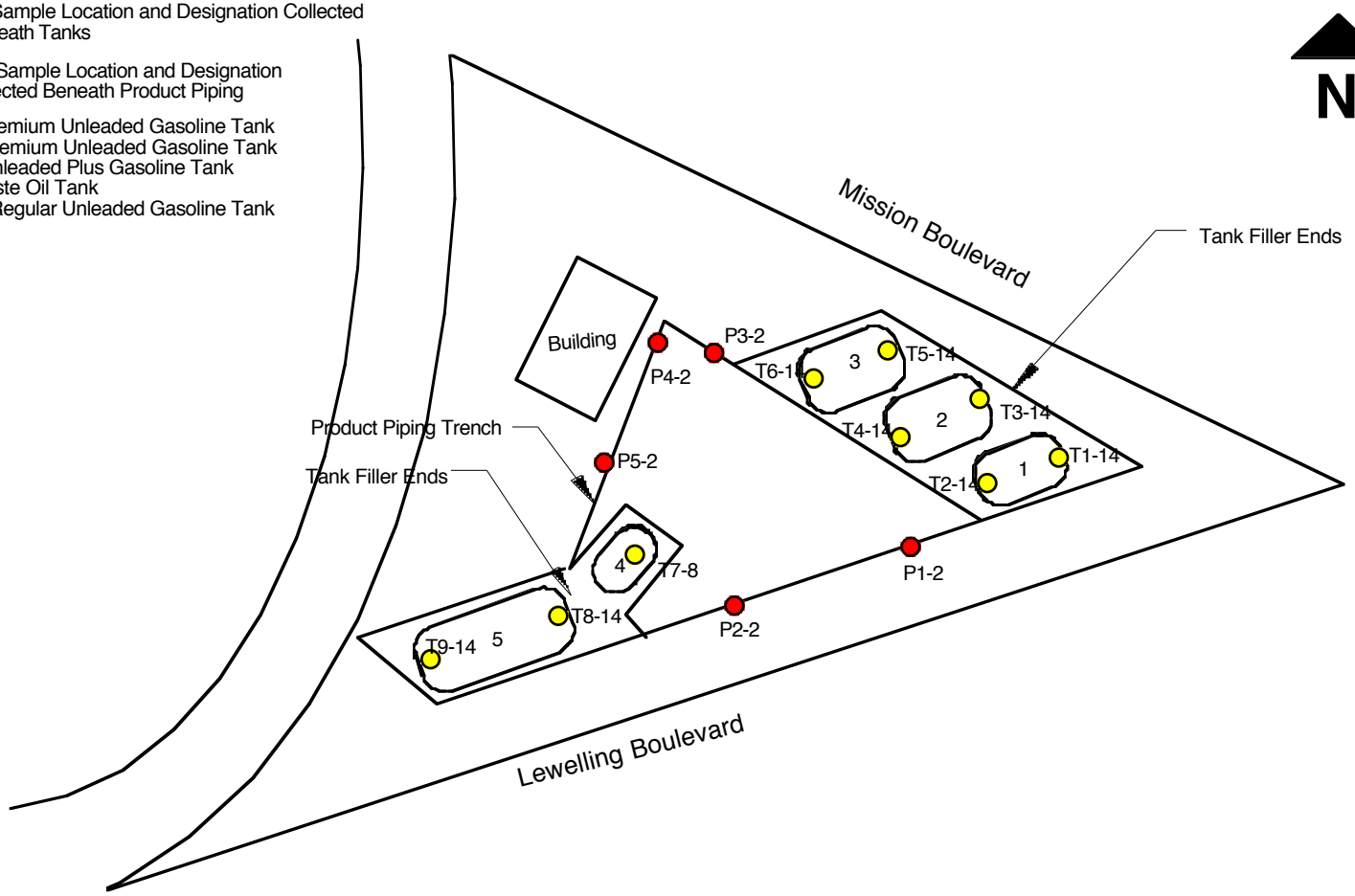
cc: Mr. Paul Garg
Mr. Som Gubta
Mr. Abe Gubta

## LEGEND

T1-14 Soil Sample Location and Designation Collected Beaneath Tanks

P1-2 Soil Sample Location and Designation Collected Beneath Product Piping

1 = 2,000-Gallon Premium Unleaded Gasoline Tank
2 = 6,000-Gallon Premium Unleaded Gasoline Tank
3 = 6,000-Gallon Unleaded Plus Gasoline Tank
4 = 500-Gallon Waste Oil Tank
5 = 10,000-Gallon Regular Unleaded Gasoline Tank




Approximate Scale: 0' 30' 60'

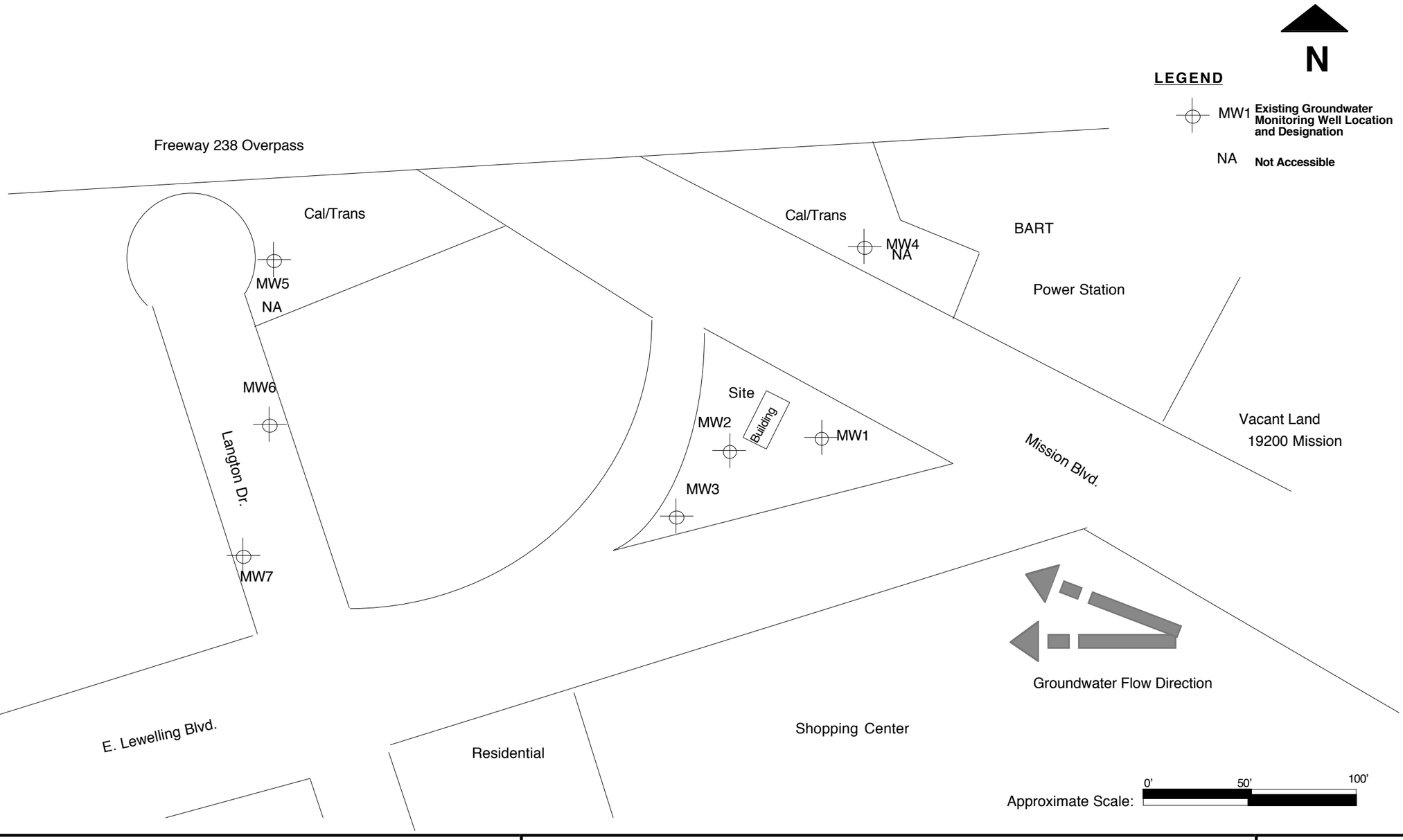

**SIERRA ENVIRONMENTAL, INC.**
*Environmental Consultants*
980 W. Taylor St.,San Jose, CA 95126
Phone [408]971-6758 · Fax [408] 971-6759


**Former UST and Soil Sample Locations**

**Proposal For Case Closure**
**ABE Petroleum LLC**

**17715 Mission Boulevard · Hayward · California**

**FIGURE**
**A**
Aug 15, 2010
Project 11-103.00





**SIERRA ENVIRONMENTAL, INC.**

*Environmental Consultants*

980 W. Taylor Street, San Jose, CA 95126

Phone [408] 971-6758 · Fax [408] 971-6759


**On-Site & Off-Site Monitoring Well and Boring Locations**

**Proposal For Case Closure**
**ABE Petroleum LLC**

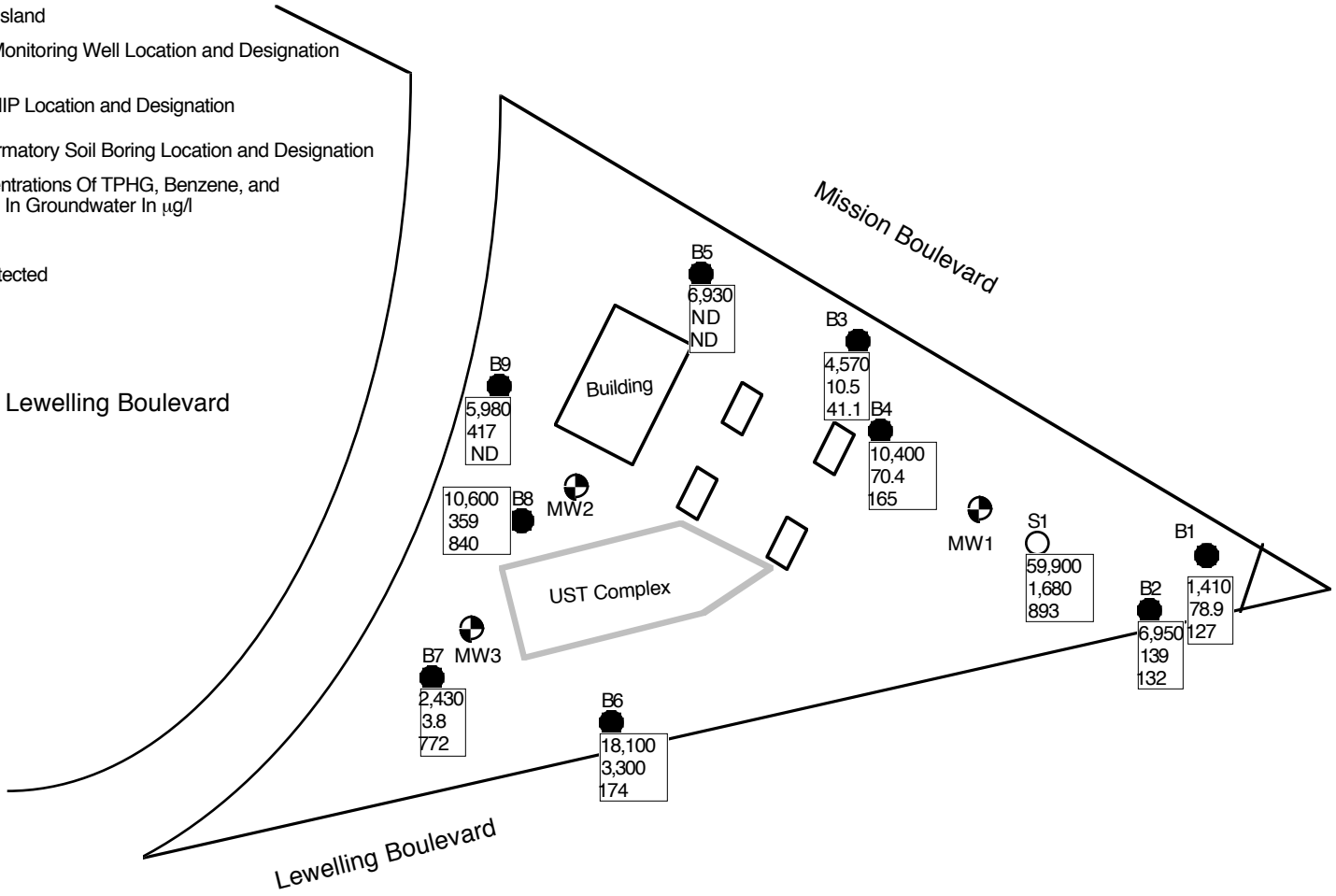
**17715 Mission Boulevard · Hayward · California**

**FIGURE**
**B**
Aug 15, 2011
Project 11-103.00

## LEGEND

- Pump island
- MW1 Monitoring Well Location and Designation
- B1 MIP Location and Designation
- S1 Confirmatory Soil Boring Location and Designation
- 1,410 / 78.9 / 127 — Concentrations Of TPHG, Benzene, and MTBE In Groundwater In µg/l
- ND Not Detected

970 & 982 E. Lewelling Boulevard




Approximate Scale: 0’ 30’ 60’

**SIERRA ENVIRONMENTAL, INC.**
*Environmental Consultants*
980 W. Taylor St.,San Jose, CA 95126
Phone [408]971-6758 · Fax [408] 971-6759

**MIP Boring Locations**

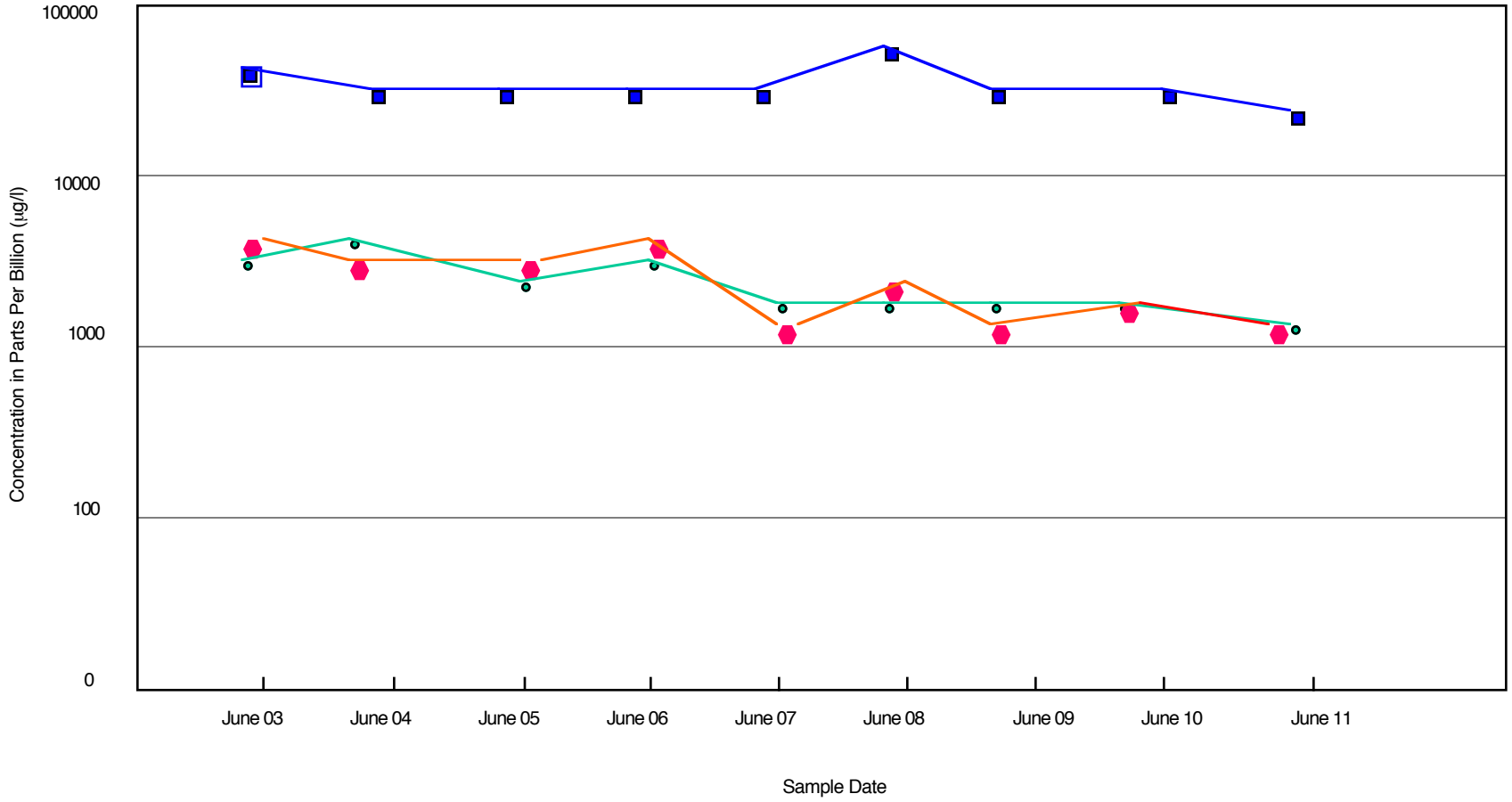
**Proposal For Site Closure**
**ABE Petroleum LLC**

**17715 Mission Boulevard · Hayward · California**

**FIGURE**
**C**
Aug 15, 2011
Project 03-103.00

**LEGEND**

- TPHG
- Benzene
- MTBE





SIERRA ENVIRONMENTAL, INC. *Environmental Consultants*

980 W. Taylor St., San Jose, CA 95126
Phone [408]971-6758 · Fax [408] 971-6759


**Request For Case Closure Model**

**TPHG, Benzene, MTBE Concentration Curve for MW1 ABE Petroleum LLC**

**17715 Mission Boulevard · Hayward · California**

**FIGURE D**

Aug 15, 2011
Project 11-103.00